A Collection.

App. F. IX-4

Previous References 1938. (Legn)

File No. 32/38.

Serial Nos. /

Letter References

(123)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. one only.

Part ~~I~~ for March, 1939.

SUBJECT.

Promulgation into Law of the Mysore Cigarette Tobacco Safeguarding Bill.

8(1) To The Compiler, Laws.
No. P 4373 of 14.2.39.
Ordered that the Mysore Cigarette Tobacco Safeguarding Act be published as Regulation No. VI of 1939 in the Mysore Gazette.

WD 0295—GPB—22,500—18-8-37

for Nazer Ahmed
20/3/39.

Control of construction of tobacco barns.

3517

1

General and Revenue Secretariat — A 48 File No. 160 of 1937. [App. F. III—2

Serial No.

From The Chairman,
The Mysore Tobacco Co. Ltd.

No 1/38 dt 3/1/38

Requests for reasons stated to take necessary legislative action to control the construction of tobacco barns by private persons by the grant of licenses to be issued rarely.

Subd. The Chairman refers to the protection given to the Mysore Sugar Co. The manufacture of sugar is subject to a license sanctioned by Govt under rule 1 of the Rules issued under the Sugar Industries Safeguarding Act, 1934. There is no such Act in regard to Tobacco. The proposal of the Chairman is for orders; Law Section may perhaps be consulted.

P.

Hdtd 5/1/38.

2 It is for consideration whether private enterprise should not be checked for at least a few years till the Tobacco Coy. is fairly well established & makes a name for quality tobacco. While any private cured tobacco may not come up to the standard of the Govt

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—13-8-37

2

3517/3727

Control of construction of Tobacco barns

AHE File No. 140 of 1937

General and Revenue Secretariat

Cured by the Coy. on more efficient lines, there is certainly likely to be considerable embarrassment to the Coy. if at the initial stages alone there should be a competition by "just as good" products.

3 Legislation on the lines of the Sugar Industries Safeguarding Act seems to be necessary to protect the nascent industry.

168
6.1.38

Dev Secy)

4 Please get a copy the original letter

3460/6/1

MW 7.1.38 168 7.1.38

5 Dft Subd. 6 Issued 168 7.1.38

7/1/38

D4785 4 10-1-38. To Chairman, Tobacco Co.

TYPING SECTION, GEN. & REV. SECT. 8 JAN 1938

Calls for a copy of his letter No 3655 dt 4-11-37.

From The ~~Secretary~~ Chairman 3
Mysore Tobacco Co.

No. B.152 dt 11/1/38

forwards copy of his letter dt 4/11/37 called for above.

7 Subd for orders with refce to para 4 above.

15/1/38

168 15.1.38.

3642/15/1

8 Dev Secy)

9 Please furnish a copy the Sugar Safeguarding Act and also the Bill pursuing the Tobacco Act etc.

MW 168 17.1.38

Control of construction of private tobacco barns

3727

3

General and Revenue Secretariat — A46 File No. 140 of 1937. [App. F. III—2

Serial No.

10 Subd with a copy of the Sugar Industries Safeguarding Act. This Act & the rules thereunder may perhaps be adopted mutatis mutandis in the case of tobacco. A draft on this basis has been prepared for consideration As regards the question of fixing price it is for consideration whether the provisions here to be retained or deleted.

1110 M 21/1/38.

11 It seems to be enough if Govt. (if not to account) the construction of private barns for the present. A provision, similar to the one in the Sugar Industry Safeguarding Act, re. fixing of price seems to be unnecessary as the Coy is not buying tobacco from all and sundry but is confining itself to certain selected brands grown by the Coy or on behalf of the Coy by selected growers.

3784/24/1/38

1110 23.1.38.

(Dy. Secy.)

12 The two letters give chairman do not disclose clearly their apprehensions. Is it the fear of competition or the fear of buyers and other persons that will not be considered by the Government if it is the first, there seems to be

NOTE—Contn. Sheet.

13

WD 0284—GPB—30,000—13-9-37

4

3517/3727

A&E File No. 140 of 1937 | General and Revenue Secretariat

OFFICE SECOND MEMBE FINCIL. 2 FEB. 1938 No. 5.6.0.2

no room for it as it is learnt from newspapers that there is still a large unsatisfied demand for cheroots of the inferior variety of tobacco leaf.

14 There is no reason why Govt should discourage private competition if it does come in spite of all the facilities which the Ryots Tobacco Company has enjoyed and is enjoying.

15 No case has been made out for giving a monopoly to this company either in theory or in practice.

16 The crux of divergence is always important point but I believe the private grows will be at once to the advice of the department as the company.

17 In any case there seems to be no need for immediate action. So far nobody has started new barns the existing barns have been leased by the company. We must watch developments for another season.

Sentenced.

18 such monopoly was never contemplated either by Govt or by the promoters

GM

A

19 cannot the Ports Act be applied as in the case of Coffee?

GM

20 I agree

GM 31/1/38

GM 31.1.38

IQ 31.1.38

21 A regular examiner.

GM 3.2.38.

IQ 3/2

Control of construction of private Tobacco Barns

3517 √ 3727

5

General and Revenue Secretariat — File No. 140 of 1937. — [App. F. III—2

W. Serial No. 2

Subd. The Destructive Insects & Pests Act 1917 Cem perhaps be applied to the tobacco crop also. It is seen from the Chairman's letter that tobacco crop is liable to numerous insect pests like borer. In the case of coffee, the Pests Act is applied only in the case of Stem borer. The Dir. of Agri may perhaps be consulted as to the possibility of applying the Pests Act to tobacco & as to the particular pest or pests to which it may be applied. Dft letter is accordingly Subd for orders. A copy of the Pests Act & the Rules framed thereunder for the control of the coffee borer pest are put up. The Agri. Dept may require extra staff for bringing the proposed rules into effect.

4/2/38.

23 Dep. Secy.) 5/2

24 The draft-wagon received commercially we desire an early mechanical proposal

6.2.38. 7/2

25 Dft reply to the Chairman of the Tobacco co is also Subd as ordered. 26 Drafts for sign.

Dep. Secy.) 7/2

27 Revised draft reply Subd as instructed, to the Co

11/2/38

28 Dep. Secy.) 11/2

29

15.2.38 30 Issue 15/2

-Contn. Sheet.

WD 0281—GPB—30,000—13-8-37

Control of construction of private tobacco barns

6

3727
1942

A+E File No. 140 of 1937. | General and Revenue Secretariat

D 6011 d/ 16-2-38 To ~~Dir of Agric~~ Chairman, Tobacco Co. 4

~~Govt~~

States that no such monopoly was contemplated either by govt or by the promoters and that there is no immediate need for action on his suggestions; and as regards extension of the Destruction Insects and pests act. to Tobacco crop, states that question may be examined and a report made to Govt.

B+Revs.
1120
17/2

From The ~~Chairman~~, Mysore Tobacco Co
No. 791 d. 9-3-38

Forwards copy of a report re Construction of private tobacco barns near Koribidnur & requests for reasons stated arrangements being made for Control of construction of barns by Capitalist non-growers within a reasonable radius of the Company's barns.

32 Subs to orders with previous papers.

10/3/38.

33 DO Secy)

34 The question may perhaps be discussed with Chairman the Govt. Secy. Secretariat

35 22/3/38 36 11/3

DO-11/3/38

OFFICE
SECOND MEMBER OF JUDICIAL
21 MAR 1938
No. 6997

Control of construction of private tobacco barns

7

General and Revenue Secretariat — File No. 140 (4942, 5133, 5538) of 1937. — [App. F. III—2

Serial No.	
	D. No. (5133) :-
	37 Dft- Subd. A later communication from the Chairman on the subject has been Subd separately & will be placed in this file when recd back. 25/3/38. 38/Subd 1K8 26/3
6	D 6930 dt 29-3-38 To chairman, Tobacco Requests him to discuss the question with the Fi member.
7	Letr No 1447 dt 30-3-38 from chairman, Tobacco stating that the Bd. of directors have resolved to wait on deputation on Govt on this question and requesting information as to when it would be convenient for the Fi member & Dewan to receive them.
	39 Subd. for orders. (Refce paras 3 & 5 above) 31/3 40 A deputation is perhaps not necessary now as the Dir. of Agr. who is the Chairman of the Coy. has been requested to discuss the matter with the Member (Dev Secy.) 41 Secretary 42. Sec 5/4/38 6.4.38. 7/4

OFFICE OF THE HOND MEMBER OF COUNCIL, - 5 APR. 1938 7.4.38

5-131 2/4

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—13-8-37

Control over Construction of private Tobacco barns

9

5133
5538

General and Revenue Secretariat — File No. 160 of 1937. — [App. F. III—2

Serial No.

From The Chairman,
Mysore Tobacco Coy.
No. 1060 dt 14/3/38

Brings to notice the competition of private Capitalists in curing tobacco at Closepet & Hosakote & requests introduction of Zonin system i.e. allowing only growers to put up barns within a radius of 10 miles allotted to the Company.

(4942). 43 Subo. The Chairman's letter dt 1-/3/38 has been subo separately with previous papers on the subject. In this ref^ce he suggests that the Company may be allotted certain Zones, within a radius of 10 miles of which only, growers of tobacco may be allowed to put up barns & not private Capitalists. This could be done only by the introduction of necessary legislation

16/3/38. 44 Dep. Secy.) 16/3

45 To be linked to the file when the chairman has expressed opinion.

4762 16/3 Linked as ordered.

2.4.38. 16/4/4

46. Dft reply subo as per paras 40-42 above

47 Issue 16 7/4

7/4/38

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—13-8-37

Control over construction of private barns

9

5538 [illegible]

AHE File No. 140 of 1937. | General and Revenue Secretariat

D 8010 dy 12-4-38 To Chairman, Mys. Tobacco Co 8

GOVT. SECOND MEETING OF COUNCIL. 21 APR. 1938 No. 7928.

DEPT. OF AGRICULTURE 7253

States that a deputation is unnecessary and requests him to discuss it with the Hon'ble member of Council.

4.8 I have discussed this matter with Mr Lunnystone, Agricultural Marketing Adviser of the Govt of India. He I gather that the question of controlling ~~tobacco cultivation~~ the marketing of flue cured cigarette tobacco is receiving serious consideration in Bombay India. "Regulated markets" are likely to be established in the Guntur Dt and elsewhere. He considers that we might go one better and introduce a System of licensing for the erection of barns for flue curing. This would also involve the fixation (by Govt) of minimum price to be paid for green leaves. The Director may be asked to prepare a draft bill and a statement of general principles to be placed before the next session of the Legislature. Please submit to the Hon'ble Minister before taking action as suggested 21/4/38 above.

4.9 Dewan

MW. 26.4.38. 168/27/4

50 Mr 25-4-38 MW 26.4.38. KC 27/4

Control over construction of private barns

5838

10

General and Revenue Secretariat — File No. 140 of 1937. [App. F. III–

Serial No.	
51	Dft Subd for consideration. 27/4/38 — 52/Issue 27/4
9	D. 8333 dt 29-4-38 — To Chairman, Tobacco Control Board states that it is desirable to introduce a system of licensing for the erection of flue curing barns, which would involve fixing of minimum price for green leaves and requests him to prepare a draft bill for placing it before R.A.
53	Subd. As per orders in paras 48 & 50, the draft bill for the licensing of construction of barns for flue curing has to be placed before the next Session of the R.A. in June 1938. The last day for communication of Govt business to the R.A. office is today but the dft bill has not yet been recd from the Dir. of Agri for orders. 9/5/38. 54 Draft seen 9.5.38.
	55 Recd today. Please work up at once 11.5.38.
10	From The Dir. of Agri. No. C.3430/37-38 dt 11/5/38

A (vide work Calendar)

5/9/5/38.
10-5-38.

11 Control over Construction of private tobacco barns

5838
6378

A96 File No. 160 of 1937. | General and Revenue Secretariat

Serial No.

Suggests a dft bill for the consideration of Govt for the control of tobacco barns etc. & promises to send the general principles of the bill.

56 Subd with refce to paras 48-50 above. The general principles only have to be placed before the R.A. & are required at once to enable the same being included in the agenda for the R.A. The draft bill may, if appd, be got scrutinised by the Legislative Section. The word 'Regulation' has to be replaced by 'Act' wherever it is used in the draft. Fr orders with a draft calling for the general principles.

12/5/38

57 Issue & submit to Issue & [illegible]

Secy.

168 12/5

To the Dir. of Agrn.

No. D. 8613 d 12/5/38

Calls for the general principles of the bill at once.

58 Subd for orders after issue.

13/5/38.

168 13/5

59 Secy

6108 14.5.38.

60 Submit. Please work up

16.5

168 7/5

Control over construction & private tobacco barns.

6666 637 6378 V 6466 12

General and Revenue Secretariat 486 File No. 140 of 1937. [App. F. III–2

Serial No.	
	From The Dir. of Agri.
	No. Agric 3430/37-38 dd 13/5/38
	Forwards a draft Statement of the General principles of the Bill.
	Subd. The Bill with the Statement of General principles may now be referred to the Legis. Section.
	~~Hdp~~ ~~Law Dept~~) 17/5/38 62 Legislative Section)
	hdj 18.5
	63 Clause 64(1) ~~may perhaps be amended as~~ is worded on the same lines as S 64(1) of the Sugar Industry Safe guarding Act 1934. But there is no penal clause like S.5. It is a point for consideration whether section xiv is not necessary to prohibit the raising of seed beds & cultivation of tobacco without a licence.
7c M	
66 A separate clause and wording MW	Clause 5 on the part of the Government under cl. 18 the rule making powers.
	64 & the other clauses seem alright.
	Submd - for orders.
	65 In consideration of the above note (see 2)
NOTE—Contn. Sheet.	67 Nil 24/5/38 MW hdj 29.5
6196 20-5-38	MW. S. 19/5/38 Secretary 19/5/38 MW. S. 19/5/38

OFFICE SECOND MEMBER 23 MAY 1938 No. 8933

Control over construction of private tobacco barns

6466

File No. 140 of 1937.

General and Revenue Secretariat

Serial No.

68 Subo. The following penal clause is suggested for consideration. It may be clause 5 + the existing clause being brought under clause 18 re rule-making powers:-

"5 It shall not be lawful for any person after the expiration of three months from the coming into force of this Act to carry on the business of raising seed beds or the construction of barns for curing cigarette tobacco except under the authority and subject to the terms & conditions of a licence granted in accordance with the provisions of this Act.

The decision of the Govt whether a licence may or may not be granted shall be final."

25/5/38.

25/5

69 Deo seen

To Council meeting. Halfpage draft

by circulation

Demand

25-5

25/5

73 CB circulated

21

25-5-38

72

Chief secy seen

26.5.38. 26/5

5466

13

For Disposal by Circulation. **No. C. 525**

.....25-1937-38

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

Subject

The Mysore Cigarette-Tobacco Safe-guarding Bill.

74 *Circulated to the Members of Council.*

By Order,

.....27th May.....193...8 Offg. *Chief Secretary to Government.*

6796 / 27/5 **First Member of Council.** SPR 75 The provision of fine in last clause does not seem consistent with the provn in cl 13 (1) re limit of fine to breaches of rules.

Second Member of Council. (Seen) 76 May be omitted SPR 28/5

77 Secy to Govt. Dev: Depttts: with Compliments).

IPM 30/5

MW. 30.5.

ICS/30/5

Control over construction of private Tobacco barns.

6466

14

General and Revenue Secretariat A 2 6 File No. 140 of 1937. [App. F. III–2

Serial No.	
	78 Subd with a D.7.N.
	30/5/38.
	79. Dew Secy
	80 Secy Revenue
	81 Signed Trial note is placed below.
	C.C.6. 1/6/38 82 Dewan

OFFICE OF SECOND MEMBER OF COUNCIL, 30 MAY 1938 No. 9189

DEWAN'S OFFICE 1 JUNE 1938 No. 8321

NOTE—Contn. Sheet.

15

Final Note by the Second Member of Council.

Subject.—

The Mysore Cigarette Tobacco Safeguarding Bill.

83 I submit herewith the Mysore Cigarette Tobacco Safeguarding
F Bill with a statement of the general principles upon which the Bill is based. The gracious sanction of His Highness is solicited for placing the general principles before the Representative Assembly and the Bill before the Legislative Council at the next session of these bodies.

MEMBER OF COUNCIL.

Bangalore,
31st May 1938.

Submitted to His Highness.

84 *I submit herewith a Final Note by the* SECOND *Member of Council on the subject of* The Mysore Cigarette Tobacco Safeguarding Bill,

for His Highness' gracious approval.

Mirza M. Ismail

Dewan.

Bangalore,
1st June 1938.

17

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

The Mysore Cigarette Tobacco Safeguarding Bill.

86 Chief Secy
JM
7-6-38

No. 704

Ltm
8.6.38

85

Order.

~~KRW~~
6/5/38

General and Revenue
Secretariat.

..525 18

SUBJECT:—

The Mysore Cigarette Tobacco Safeguarding Bill

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

87 Circulated to Members of Council for perusal of His Highness' orders ~~before/after~~ issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

.....Department.

88 8.6.38

FIRST MEMBER OF COUNCIL. 89 9/6

9393 8.6.38

SECOND MEMBER OF COUNCIL. 90 9/6/38

NOTE.—Contn. sheet.

WD 1467—GPB—500—23-2-38

The Mysore Cigarette-Tobacco Safe-guarding Bill

6711

17

General and Revenue Secretariat | File No. | of 193 | [App. F. III–2

Serial No.

SECOND MEMBE[illegible]CIL,
27 MAY 1938
No.

91 Subd. The file re the Mysore Cigarette-Tobacco Safe-Guarding Bill is under circulation separately before Submission to H. H. for the ensuing R.A. & L.C. Sessi

92 As it will be late, if the return of the file from H. H. is awaited, it is for orders: if an advance copy of the bill with the Statement of General principles may be sent to the R.A. & L.C. Section for further necessary action

27/5/38.

93 May be done.

27/5

Dew Secy

94

28.5.

95

28/5/38

28.5.38

28/5

96 Subd with a copy of the Bill with the General principles.

Rec'd 4.40 P.M.
28 MAY 1938

28/5/38

97

28/5

Secy - R.A. & L.C.
Sc.

NOTE—Contn. Sheet.

28) 6711 Cigarette & Tobacco Safe-guarding Bill D.1819 6990/35

File No. of 193 | General and Revenue Secretariat

Serial No.

98 3 Copies of the Statement of general principles of the Bill has been taken for being included in the Statement of Govt Business to be placed before the Assembly.

99 As for its inclusion in the Tent. Agenda, the Bill together with the Statement of Objects & Reasons may be sent through the Protection Branch in time for publication in the Gazette Extraordinary, to be issued on 18th June 1938, which is the latest date. Submitted for perusal & orders before sending the file to the Dev. Branch.

PWM 28.5.38.

28/5/38

100 28-5

101 This may be sent to the Dev. Br. for putting up a set of Objects & Reasons.

See 28/5

102 28.5

103 30/5

104 The Statement of 'General Principles' already sent to the R.A. & L.C. section may be treated as a "Statt. of Objects & Reasons" for purposes of the bill.

30/5.

See R.A. & L.C.?

W/C

Protection Br.

The Mysore Cigarette-Tobacco Safeguarding Bill
1938
D. 1907.

21

General and Revenue Secretariat | File No. | of 193 . | [App. F. III—2

Serial No.

8295

OFFICE OF THE SECOND MEMBER OF COUNCIL, 30 MAY 1938 No. 7190

105 The main file has been sent to Sr. Sr.

106 Sent for orders up to the meantime the Rules may be published under Rule 8 of L.C. Rules. The last draft for publication is 1st June.

Sr 30/5 (1st meeting 2nd meeting Debate) 107 Hy 30-5

8 S S 4 30/5

108 Yes I had suggested a slight verbal change in the main file

S/102 30/5

109 MM 31/5/38

110 Hy 31-5-38

111 Circle Hy 1.6

112 L.C. Officer for issuing printed orders Sr 1/6.

OFFICE OF THE SECRETARY 1 JUNE 1938 LEGISLATIVE COUNCIL

113 The file is sent to the Prot. Br. with a copy of the Bill as finally printed

Prot. Br. 2/6/38

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—13-8-37

22)

3802 p838 6990

Legislative Council Secretariat Bill

D. 118.

File No. of 193

General and Revenue Secretariat

114 Secy for orders as to who is to be in charge of this bill in the R.A.

Secy 2/6 115 Secy (may perhaps be in charge of this Bill Secy) hy 2-6

116 2.6

117 2/6 At the next meeting of L.C. the Bill was introduced in L.C. & referred to Select committee This may be sent to L.C. office (requesting return to Secy by 20th inst. of the names of the members of the S.C.

5a 30/7 R.A. to do

118 Secy for orders as regards the date of the S.C. meeting

Secy 1/12

120 Secy for orders if the meeting may be held at 2 P.M. on Monday the 12th inst.

Secy 3/12 2nd member) 121 Yes. hy 3/12

122 Yes. Ple 4.12 hy 5/12

OFFICE OF THE SECRETARY
30 JULY 1938
REPRESENTATIVE ASSEMBLY
AND
LEGISLATIVE COUNCIL.

P.A. 8 Nov by agreement

SECOND MEMBER LEGISLATIVE COUNCIL,
3 DEC. 1938
No. 4692

1190/638

The Mysore Cigarette-Tobacco Safeguarding Bill

632

(23)

General and Revenue Secretariat — A&E — File No. 160 of 1937. — [App. F. III–2

Serial No.	
13	From The Agri. Marketing Adviser to the Govt of India.
	No. A-96(15) dated 28/7/38
	Forwards a copy of the revised Tobacco Rules & suggests some changes to the Mysore Cigarette-Tobacco Safeguarding Bill.
117(a)	Subd. The main file is in the Prot Br, the bill having been referred to a Select Committee. If appd, this may be sent to that Br for incorporating the changes in the bill.
	Hdto OS 2/8/38. — IG 3.8.
	Dea (Secy)
117(b)	Has notice been published? — MW. 16.8.38
117(c)	Please find out.
117(d)	IG 16.8.
	Subd. It is informally ascertained from the Prot Br that the Select Committee has not yet met. — IG 16.8.
	Hdto OS 16/8/38.
117	Dea (Secy)
	Yes notice has been published. — MW. 18.8.
	Pwt Mr Br OS 15/9 — IG 18/8.

NOTE—Contn. Sheet.

25)

Cigarette

The Imported Tobacco Safeguarding Bill. 1190

File No. of 193

General and Revenue Secretariat

Serial No.

119 118 (16) This memo, if approved, to be placed before the Cabinet committee.

28/8/38. hg/23.8

Secs Bill. Draft & memo. 8/8

1190 Subd. for orders as regards the draft of the S.C. meeting.

2nd/- S.G. 11/12.

(24) Subd. for orders if the meeting may be held at 2.p.m. on Monday the 12th inst.

2nd/- S.G. 3/12 2nd/- A.S.R.

2nd Member (12) Agreed.

2nd/- K.V.A.

Select Committee meeting

Serial No.

123 Send with a draft of note of the meeting.

Sd
5/12/38.

124 issue
Sd
13.5.12

Issued no P 3217-23 dy 6/12/38.

125 Send with a draft report of the S. C

Sd
13/12

126 Submitted for approval of members

Sd
14.12

127 Approved as revised

Sd
15/12

128 Send with a draft to the members of the committee forwarding the report for their approval.

Sd
16/12

129 issue
Sd
16.12

Issued no P 3219-25 dy 21/12

130 Send. with a draft reminder to members forwarding notes, Bridge Rounds and draft proposed Imam

Sd
29/12/38.

131 issue
Sd
29.12

Issued no P 3364-6 dy 29/12

CITY 2ND Insct.
15 DEC. 1938
No. 4822

NOTE—Contn. Sheet.
2

WD 0544—GPB—30,000—2-9-38

28/

380

File No. of 193 General and Revenue Secretariat

132 Intimation of approval has not yet been received from Messrs Lingegowda and Mahamed Imams.

133 As per the last date for publication the report may perhaps be published with out their names and a note added that the approval will be notified on receipt. Mr. M. S. Ramachandra Rao has suggested certain verbal alterations. The changes made in clauses 3 and 7 are purely verbal and they were omitted from the report. Send for orders

Yes 28/1/39 134 These 2 changes may be incorporated 28/1/39 BVN

& the fair proofs as in rule 6 of the 2nd meeting dtd 3.1.39

135 Do 2 C.C. copies with copies of the report for publication

Yes 28/1/39 136 3 Copies taken & file returned BVN. 3.1.39 3.1.39

D984 383

Cigarette Industry (Safeguarding) Bill (27)

General and Revenue Secretariat | File No. | of 193 | [App. F. III—2

Serial No.

137 Secy. with a copy of the Bill as amended by the L. C. If approved it will be sent to Govt. Office for getting copies printed.

Sd 4/1/39. 138 Secy Govt 4-1

L. C. Pte.

139 Copy taken and file returned.

BVN 5-1-39.

Protocol

5.1

140 The report of the Committee to which the Bill as amended may be taken into consideration at the ensuing meeting of the L. C.

141 The following motions were given notice for:

(a) moving that the report of the select committee on the Cigarette (Industry) Safeguarding Bill and the Bill as amended by them be taken into consideration.

OFFICE OF THE SECRETARY
4 JAN. 1939
REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

NOTE - Contn. Sheet.

WD 0544—GPB—30,000—2-9-38

D.1053/2.c.

28) Cooperative Societies Safeguarding Bill

File No. of 193 General and Revenue Secretariat

Mover:- Second member

Seconder:- Dew. Secy

(4) Motion that the Bill as amended be passed

Mover: Second member

Seconder: Dew. Secy.

5a 6/1/39 (2nd member) 14th by 6.1

BVN

143 ltr A

9.1

by 11.1

2) 144 L.C. Office for note & return.

5a 11/1 145 Noted & returned.

BVN 11.1.39. Protn Gr

B 11.1

From

Mr J. McLain: report of Select Committee with his assent thereto 2 11.1.39.

11th Submitted for orders whether this may be sent to the L.C. Office for issuing a notification to that effect Mr M.C. Linggowda's approval to the S.C. report has already been sent to the L.C. Office for that purpose.

Yes by 12.1

Bme 12.1.39. BVN

To 147 L.C. office for note and return

Bme 12-1-39 148 Noted & returned. Protn Gr

BVN 16-1-39 B 16.1

SECOND MEMBER'S COUNCIL, 6 JAN. 1939 No. G.2.69

OFFICE OF THE SECRETARY 11 JAN. 1939 REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL.

OFFICE OF THE SECRETARY 12 JAN. 1939 REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL.

Cigarette Tobacco Safeguarding Bill. 29

Serial No.

149 As instructed the following additional Motion is submitted for inclusion in the Agenda of the D.C.

Motion that the following amendments be made to the Mysore Cigarette-tobacco Safeguarding Bill as amended by the Select Committee:

(i) In Cl 8 for the word "examination" substitute the word "inspection"

(ii) For Cl 11 the following may be substituted

"The owners of Curing barns in Mysore shall submit such returns as may be required for the purposes of this Act in such forms on such dates and to such authority as may be prescribed by rules framed thereunder".

11 (iii) In Cl 12 the following words may be omitted:

"It shall be permissible for any seller of Cured Cigarette-tobacco to sell them ungraded; but"

111 (iv) In Cl 14 (a) and (b) after the word "default" the following may be added

"or acts in Contravention of any of the provisions of this Act or the rules framed thereunder"

IV (v) To Cl. 18 (2) the following Sub-clause may be added:

"(k) The returns which the owners of

NOTE—Contn. Sheet.

WD 0544—GPB—30,000—2-9-83

30)

4239

Cigarette - Tobacco Safeguarding Bill.

File No. of 193 .

General and Revenue Secretariat

Curing barns have to submit, the forms in which, the dates on which and the authority to whom such returns shall be submitted"

Mover : Second Member

Seconds : Dev. Secy.

DEWAN'S OFFICE
3 FEB. 1939
56.10

Done 18.1.39.

1st Approved by the Member in charge of the agenda

19/1/39

1st To L.C. office for note and return. The Connected Motion is appended herewith.

Done 19.1.39

1st Noted & returned.

BVN (Protin Gr)
19-1-39

19.1

1st The Bill was passed at the L.C. at the recent Session.

Submitted with a draft Final Note.

OFFICE OF THE SECOND MEMBER OF COUNCIL
2 - Fe. 1939
No. 7137

Done 30.1.39.

2nd Member

1/2/39.

154 P.C

2.2

Signed Final Note placed in the file.

D.S.W. put up.

Done 3.2.39

2.2.39

Dewan

3.2.39

3/

Final Note by the Second Member of Council.

Subject.— Promulgation into law of the Mysore Cigarette-tobacco Safeguarding Bill.

On the 6th June 1938, His Highness was graciously pleased to accord sanction to the introduction of the Mysore Cigarette-tobacco Safeguarding Bill. The general principles of the Bill were placed before the Representative Assembly at its session in June 1938 and approved by it. The Bill was thereafter introduced in the Legislative Council at its Budget Session and referred to a Select Committee. The Select Committee revised the Bill in certain particulars and the Bill as revised was passed by the Legislative Council at its recent session.

I solicit the gracious sanction of His Highness to promulgate the Bill into law.

Second Member of Council.

Bangalore,
2nd February 1939.

Submitted to His Highness.

156 *I submit herewith a Final Note by the* Second *Member of Council on the subject of* the promulgation into law of the Mysore Cigarette-tobacco Safeguarding Bill, *for His Highness' gracious* ~~approval~~ sanction.

Mirza M. Ismail

Camp: Jog,)
4th February 1939.) *Dewan.*

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Promulgation into law of the Mysore Cigarette-tobacco Safeguarding Bill.

158

No. 545

157

Order.

~~KRW~~
7/2/39

MS
9.2.39

General and Revenue
Secretariat.

H H 5744 34

SUBJECT :—

Promulgation into Law of the Myore Cigarette Tobacco Safeguarding Bill

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(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

154 Circulated to Members of Council for perusal of His Highness' orders before/~~after~~ issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

~~Devel~~ Department.

160 9.2.39

6446 / 6.2.39 FIRST MEMBER OF COUNCIL. 159 10/2/39

7320 / 10.2.39 SECOND MEMBER OF COUNCIL.

Perused & returned with my Proposal

10.2

Prohi.

NOTE.—Contn. sheet

WD 01152—GPB—750—21-12-38

11.2

Mysore Cigarette - tobacco safeguarding Act VI of 1939

General and Revenue Secretariat | Left File No. 32 of 1938. | [App. F. III—2

Serial No.

16) This Bill has received the previous sanction of His Highness for promulgation into Law, on the 7th February 1939.

A draft G.O. directing its Publication as Act VI of 1939 is submitted.

Office the proof may be sent to me for scrutiny
10/2

11.2.39 16) After issue the file with the Govt. Order may be sent to the Dev. Br. for taking note of Members orders re the framing of Rules under the Act.

GEN. & REVENUE SECRETARIAT 13 FEB. 1939

13/2 Gen Secy

hg 13-2

163) Sec 13.2.39 hg 13.2

Issued G.O. No P 4373 dated 14.2.39 directing publication as Act VI of 1939

164) To the Dev. Branch to note the Member order at para 162

GEN. & REVENUE SECTT. 21 FEB. 1939 DEVELOPMENT BRANCH.

21.2.39 Dev

168) Call for draft rules urgently.

16/2 21/2

TYPING SECTION 21 FEB. 1939 GEN. & REV. SECT.

16) Dft Subo.

22/2/39 Dev

167) Done & submit.

16/2 22/2

Issue & Submit.

14 To the Dir of Agri D 7705 23-2-39

Requests him to forward draft rules to be framed under the Act.

168) Resubo after issue. 16) for perusal.

24/2/39 Dev

16/2 24/2

Dev Secy

16/2 25.2

NOTE—Contn. Sheet.

VD 0514—GPB—30,000—2-9-38

36/ Income Capacity Board (Validation & Safeguarding) Act VI of 1939

File No. 39 of 193

General and Revenue Secretariat

170/ Necessary action will be taken soon after the draft rules are recd. This may be returned to the Prot. Br.

14/3/39 — Prot. Br. — 14/3

16.3

A Nee 16.3.39

	1935	1936 ('37)	1937
Average price paid for tobacco leaves (green) (per lb).	Not available here	0-0-6 Agri & Stc Depts	0-0-4 by Tobacco Coy.
Loss or profit	Rs Loss 1774 (Stc Dept).	Rs Loss 8054 Agri Dept Profit 2700 Stc Dept.	50% Dividend by Tobacco Co
Acreage planted	About 300	400	2150
Acreage proposed to be planted during 1938	5000 acres.		

THE MYSORE CIGARETTE-TOBACCO SAFEGUARDING BILL.

Cl 8. (a) 'The right of access to any land or premises wherein tobacco seed-beds or curing barns are located'. 'Seed-bed' has been defined as earthen beds in which tobacco seed is sown and seedlings raised (s.3.b)and 'barn' means any structure in which green tobacco leaf is cured (s.3.c). The Section will therefore convey the idea that the right of access required is to ' any land or premises wherein tobacco earthen beds in which tobacco seed is sown and seedlings raised or to any land or premises wherein any curing structures &c are located'. In other words, apart from the repetition of the words, 'tobacco' and 'curing', the sentence would mean'any land wherein a land is located' and ' any land wherein a structure is located'. The omission of the words 'any land or premises wherein tobacco', the plural in 'seed-beds', the words 'curing' and 'are located' and the plural in 'barns' may give the meaning required by the Legislature. The Section will then read, "-----shall have the right of access to any seed-bed or barn..." This is clear from the offence Section 13(2)(b) where the words used are, 'inspection of seed-beds &c'.

(b) "access----to any land where Cigarette-tobacco is cultivated seems to be preferable to 'access-- into any land'.

(c) The word 'examination' is used in this section, but in Section 13(2) the word used is 'inspection'. The usual rule is that the section creating the obligation must have the same expression as that mentioned in the section which

creates

39

creates the sanction for breach. Otherwise it may be contended that no offence is committed. It is better to retain uniform expression throughout.

Cl 9. The Section as it is, raises a doubt as to the finality of the decision of the officer to whom the power is delegated.

Cl 11. The expression 'such returns' has no relative after it. Further S. 18 gives power to Government to make rules and there is no meaning in having a separate section for empowering the Government to make rules in regard to the matter covered by the present Section. A suitable -- clause may be added to S. 18 to include the matter now mentioned in S. 11.

Cl 12. Nowhere in any Act can a legal opinion as in the first statement in this Section be found. The law of contract provides that everyone is free to enter into any contract subject to the exceptions contained therein. The words, 'It shall (?) be permissible for any seller of cured Cigarette tobacco to sell them ungraded, but' may be conveniently omitted.

Cl 14. In the way in which the Section is drafted, partners, members, managers, Secretaries and Directors can be held liable only for default; but there are offences other than default to which obviously it cannot apply. Then the more comprehensive clause in the beginning, 'where the person guilty of an offence under this Act' becomes meaningless.

Cl 9. The words 'or officer to whom the above mentioned power is delegated' may be added after the words 'Director of Agriculture'.

Cl 11. Before a person is made liable for breach of the conditions of the rules, there must be a substantive provision in the Act itself imposing a liability on him. It is necessary to impose a liability on the owners of barns to submit the returns required of them. Hence the Section may be recast thus:

" The owners of curing barns in Mysore shall submit such returns as may be required for the purposes of this Act in such forms on such dates and to such authority as may be prescribed by rules framed hereunder

A clause (a) may be added to Section 18 thus:

" The return which the owners of curing barns have to submit, the forms in which, the dates on which and the authority to whom such returns shall be submitted."

In Section 14 (2) (a) and (b), after the words 'default' the words 'or contravention of any of the provisions of this Act or the rules framed thereunder' may be added.

SELECT COMMITTEE REPORT.

We, the members of the Select Committee, to which the Mysore Cigarette-Tobacco Bill was referred, have considered the several clauses of the Bill and ~~have now~~ by the following ~~the honour~~ to submit ~~this,~~ our report.

Preamble.- The object of the Bill is not only to control but also to regulate the seed supply, curing, etc., In order to make this clear, we recommend that after the word "controlling" the words "and regulating the quality of", may be substituted.

Clause 4 (2). In order to ensure ~~the growing~~ that only good and proper variety of tobacco are grown, the source from which seed ~~has to~~ should be obtained ought not to be left to the option of the owner of the seed bed. The word "may" in line 2 of this sub clause may be changed into "shall". The rais ing of these seedlings requires care and proper equipment, and in order that it may be efficiently done, it is ~~desirable~~ necessary that the area of the seed bed ought to be restricted with reference to the capacity of the person raising the seed bed. ~~It is also desirable to regulate the price at which seedling may be sold so that the growers may not be exploited.~~ We, there-

It is also necessary to prescribe for the growing the seedlings and transplanting at a reasonable price

therefore recommend that the words "the area of the seed bed, the maximum price at which seedlings ~~are to~~ shall be sold to growers may be inserted after the word "located".

Clause 4(4) In order that the ~~interests of the~~ growers ~~may be safeguarded~~, the barn in a particular area must be obliged to take up all the tobacco grown in the area ~~corresponding~~ to ~~the~~ barn. With a view to bring out this idea clearly, we propose that a full stop may be placed after the words "corresponding to a barn" and for the words beginning with "the minimum" to the end of the sub clause, the following sentence ~~shall~~ be substituted.-

"such conditions may further prescribe that the ~~curer shall~~ purchase all the green tobacco leaf grown in the ~~corresponding~~ to ~~this~~ barn at not less than ~~the~~ price fixed by Government in this behalf, suitable agreements being entered into by ~~him~~ in writing with the growers before transplantation of seedlings".

Clause 12. The ~~grading~~ may ~~vary~~ from time to time ~~and~~ it is desirable to ~~leave~~ ~~it~~ to be ~~prescribed from time to time~~ ~~under~~ the rules ~~and not to fix it in~~ the ~~schedule~~. So, for the words beginning with "but where" to the end of the clause, the following ~~will~~ be substituted "but where tobacco is graded and sold, the grading

grading shall be done in the manner prescribed

Clause 18 (2). (1) In paragraph (a) the word "minimum" may be inserted before the word 'price'; (2) The following may be inserted as paragraph (b), the other paragraphs being renumbered in view of the addition made in clause 4(2):- "(b) the maximum price at which seedlings shall be sold to growers from the licensed seed beds".

(3) In paragraph (c), (d) as renumbered the words "and the authority by whom" may be inserted after "which".

(4) The following paragraph may be inserted as (b) "(f) fixing the grades of cured tobacco".

Schedule. This may be omitted in view of what is stated under clause 12.

The changes we have proposed are mostly verbal, calculated to bring out clearly and in an ~~effective~~ manner the object of the ~~scheme of fostering~~ and development of ~~cigarette tobacco cultivation~~. We do not consider that the Bill as amended need be republished.

Select Committee Report.

We, the members of the Select Committee to which the Mysore Cigarette-Tobacco Bill was referred, have considered the several clauses of the Bill and beg to submit the following report:-

Preamble:- The object of the Bill is not only to control but also to regulate the seed supply, curing, etc., In order to make this clear, we recommend that after the word "controlling" the words "and regulating the quality of", may be substituted.

Clause 4 (2):- In order to ensure that only good and proper varieties of tobacco are grown, the sources from which seed should be obtained ought not to be left to the option of the owner of the seed bed. The word "may" in line 2 of this sub clause may be changed into "shall". The raising of these seedlings requires care and proper equipment, and in order that it may be efficiently done, it is necessary that the area of the seed bed ought to be restricted with reference to the capacity of the person raising the seed bed. It is also necessary to provide for the growers getting the seedlings at a reasonable price. We, therefore, recommend that the words "the area of the seed bed, the maximum price at which seedlings shall be sold to growers" may be inserted after the word "located".

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Clause 4(4):- In order that the growers may be assured of purchasers for their crop the owners of a barn in a particular area must be obliged to take up all the tobacco grown in the area allotted to them. With a view to bring out this idea clearly, we propose that a full stop may be placed after the words "corresponding to a barn" and for the words beginning with "the minimum" to the end of the sub clause, the following sentence be substituted:-

"Such conditions may further prescribe that the owners of such barns shall undertake to purchase all the green tobacco leaf grown in the zone allotted to their barns at not less than the minimum price fixed by Government in this behalf, suitable agreements being entered into by them in writing with the growers before transplantation of seedlings".

Clause 10:- For the words "the said order" substitute " "an order under Section 9".

After "Agriculture" add "or the officer empowerd by him ".

Clause 12:- The grades may have to be varied from time to time. It is therefore desirable to leave this matter to be dealt with in the rules instead of providing for it in the Act. So for the words beginning with "but where" to the end of the clause, the following may be substituted "but where tobacco is graded and sold, the grading shall be done in

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the manner prescribed in the Rules.

Clause 18(2):- In paragraph (a) the word "minimum" may be inserted before the word "price". For "leaves" substitute "leaf". In view of the addition made in clause 4(2), the following may be inserted as paragraph (b). The other paragraphs will be renumbered - "(b) the maximum price at which seedlings shall be sold to growers from the licensed seed beds".

In paragraph (c), [(d) as renumbered] the words "and the authority by whom" may be inserted after "which".

~~(c)~~ The following paragraph may be inserted as (b) "(f) fixing the grades of cured tobacco".

Schedule. This may be omitted in view of what is stated under clause 12.

The changes we have proposed are mostly verbal, calculated to bring out clearly and in an unambiguous manner the object of the legislation. We do not consider that the Bill as amended need be republished.

64

The Mysore Cigarette-Tobacco Safeguarding Bill.

As amended by the Select Committee.

(*Omissions are enclosed in square brackets and additions are indicated in italics.*)

A Bill to provide for the development of Cigarette-tobacco cultivation and for safeguarding the interests of Cigarette-tobacco cultivators in Mysore.

Whereas it is expedient for the fostering and development of Cigarette-tobacco cultivation in Mysore, to take power for controlling *and regulating the quality of* the seed supply and the curing and marketing of Cigarette-tobacco in the State and for safeguarding the interests of tobacco cultivators; it is hereby enacted as follows:—

Short title.

1. This Act shall be called the Mysore Cigarette-tobacco Safeguarding Act.

Extent and commencement.

2. (1) It extends to the whole of Mysore.

(2) It shall come into operation from such date as the Government may by notification in the official Gazette direct.

Definitions.

3. In this Act, unless there is anything repugnant in the subject or context.—

(*a*) "Cigarette-tobacco" shall include the following varieties, *viz.*, Harrison Special, Cash, Adcock, Burley and all other flue-cured varieties of tobacco used for the manufacture of cigarettes;

(*b*) "Barn" means any structure in which [raw] *green* tobacco leaf is cured by heat radiating from flue-pipes or tubes connected with an oven or a plant generating steam or electricity;

(*c*) "Seed-bed" means earthen beds in which tobacco seed is sown and seedlings raised;

(*d*) "Licence" means a licence granted under this Act and 'Licensed' and 'Licensee' shall have corresponding meanings.

(*e*) "Prescribed" means prescribed by rules made under this Act.

Licence for seed-beds and barns.

4. (1) It shall be lawful for the Government to grant to any person or persons on such conditions and for such periods as may seem fit, licences for raising seed-beds for supply of seedlings to growers and for the construction of barns for curing Cigarette-tobacco.

(2) Such conditions in regard to seed-beds may specify the source from which the seed [may] *shall* be obtained, the places where seed-beds are to be located, *the area of the seed bed, the maximum price at which seedlings shall be sold to growers,* the preventive measures to be taken against insect pests and plant diseases and other matters relating to the proper preparation of seedlings;

(3) Such conditions in regard to the construction of barns by growers to cure tobacco grown by them may specify the localities and places where they are to be constructed, the kind of material to be used, the dimensions *and design* of the barns, the oven and flue-pipes and chimneys.

(4) Where such barns are proposed to be constructed by curers for curing tobacco grown by [others] *cultivators*, such conditions may also prescribe and limit the zones within which they may take up the curing of tobacco grown by cultivators and the distance to be observed from the nearest existing barn and also the extent of tobacco area corresponding to a barn. [the minimum prices to be paid for leaves under agreements to be entered into by them in writing with the growers before transplantation of seedlings.] *Such conditions may further prescribe that the owners of such barns shall undertake to purchase all the green tobacco leaf grown in the zone allotted to their barns at not less than the minimum price fixed by Government in this behalf, suitable agreements being entered into by them in writing with the growers before transplantation of seedlings.*

No seed-bed to be raised or barn constructed without a licence.

It shall not be lawful for any person after the expiration of three months from the coming into force of this Act to carry on the business of raising seed-beds or the construction of barns for curing Cigarette-tobacco except under the authority and subject to the terms and conditions of a licence granted in accordance with the provisions of this Act.

6. The decision of the Government as to whether a licence may or may not be granted shall be final. Decision of Government to be final.

7. The Government may by special or general order require the applicant for a licence or a licensee or any person who, being a partner, proprietor, manager or an officer of a company or factory, is able to give information *required for the purposes of this Act*, to furnish such information within such time as they may fix. Information to be furnished.

8. For the purpose of this Act and the rules framed thereunder, the Director of Agriculture or any officer authorised by him shall have the right of access to any land or premises wherein tobacco seed-beds, or curing barns are located and into any land where Cigarette-tobacco is cultivated for ~~examination~~ with reference to the prevalence of insect pests or plant diseases and to all other relevant matters within the purview of this Act and the rules thereunder. Right of access for examination.

9. The Director of Agriculture or any officer to whom this power is delegated by him with the approval of Government shall have the power to order the destruction of all tobacco seedlings or plants which in his opinion are so badly infested with pest or diseases or parasite as to be a source of the spread of such pest, [parasite or] disease *or parasite*. The decision of the Director of Agriculture on this point shall be final. Power to order destruction of plant infested with pest.

10. On default of the party to comply with [the said] *an* order *under section 9*, the Director of Agriculture *or the officer empowered by him* shall have the power to arrange for the destruction of such affected plants—the cost incurred for such destruction being recoverable in the same manner as arrears of land revenue. Destruction by Director of Agriculture

11. The Government may, by notification in the official Gazette, make rules requiring the owners of curing barns in Mysore to make such returns to them prescribing the form of such returns, the dates of their submission and the authority to whom they shall be submitted. Returns.

12. It shall be permissible for any seller of cured Cigaratte-tobacco to sell them ungraded; but where [a different description does not expressly appear in the terms of a contract, the several grades of cured tobacco for purposes of marketing shall be presumed to be the grades indicated in the Schedule appended to this Act.] *to-bacco is graded and sold, the grading shall be done in the manner prescribed in the rules.* Grading.

Penalty.

13 (1) Whoever contravenes any of the provisions of this Act or of the rules made thereunder shall be punishable with fine which may extend to rupees five hundred or in case of continued contravention with a fine which may extend to rupees fifty for every day during which the contravention is continued after conviction therefor

(2) Any person who (a) refuses or neglects to furnish any information required to be furnished for the purpose of this Act or rules made thereunder, (b) refuses access to the Director of Agriculture or officer authorised by him for inspection of seed-beds, cultivation and curing or (c) fraudulently uses or permits to be used any licence issued under this Act, shall be punishable with fine which may extend to rupees one hundred.

Liability of Manager, Secretary, etc., of firm or company.

4. Where the person guilty of an offence under this Act is,—

(*a*) an Association or Firm, every partner, member, manager or, secretary and other officer thereof who is knowingly a party to the default, and

(*b*) a Company, every Director, Manager, Secretary and other officer thereof who is knowingly a party to the default,

shall also be guilty of the like offence and liable to the like punishment.

Class of Magistrate to try offences.

15 No offence made punishable by this Act or by any rule made thereunder shall be tried by a Court inferior to that of a Magistrate of the First Class.

Sanction to prosecute.

16. No prosecution under this Act shall be instituted except with the sanction of the Director of Agriculture.

Indemnity for act done in good faith.

17. No suit or other legal proceedings shall be instituted against any person in respect of anything which is [in good faith] done or intended to be done *in good faith* under this Act

Power to make rules.

18. (1) The Government may make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers such rules may provide for,

(*a*) the fixing of the *minimum* price or prices at which the [raw] *green* tobacco leaf shall be purchased by the curers,

(*b*) *the maximum price at which seedlings shall be sold to growers from the licensed seed-beds,*

(*c*) [*b*] the levying of fees in respect of licences granted under this Act,

(*d*) [*c*] the conditions and limitations subject to which *and the authority by whom* a licence may be granted,

(*e*) [*d*] the establishing of advisory committees for the purpose of fixing the price or prices at which *green* [raw] Cigarette-tobacco leaf shall be purchased by a curer and defining the powers, functions and procedure of such committees, [and]

(*f*) [*e*] the records, registers and accounts to be maintained for ensuring compliance with the provisions of this Act, *and*

(*g*) *fixing the grades of cured tobacco.*

[SCHEDULE.]

Grade designations and definition of quality of unmanufactured, Flue-cured Cigarette-tobacco grown in Mysore.

Grade designation	Special characteristics			
	Colour	Texture	Tolerance	
			Blemish*	Damage†
1	Bright lemon ...	Fine silky ...	Nil ...	Nil
2	Lemon ...	Good or medium...	Greenish tinge at veins.	Nil
3	Orange lemon ...	Do ...	10 per cent ...	Nil
4	Lemon with green patches	Medium ...	15 ,, ...	5 per cent.
5	Bright brown ...	Thin (not papery)	20 , ...	10 ,,
6	Bright reddish brown and green.	Medium—not inferior to Grade IV	25 ,, ...	15 ,,
7	Usable scraps and rejections.	...	30 ,, ...	20 ,,

(*) "Blemish" shall include green patches, brown spots and patches and damage due to pests or breakage in handling.

(†) "Damage" shall include sponginess, scalding, black spot, disease, perished leaf or other damage. The percentages stated in columns 4 and 5 refer to the proportion of the total area of leaf affected in any sample.]

WD 1228—GPB—250—11-1-39.

(*b*) what are the steps, administrative and legislative, taken by the Government to implement the recommendations made by the Sub-Committee ?

The SECOND MEMBER (Rajamantrapravina N. Madhava Rau).—(*a*) Government have received the Sub-Committee's Report and will shortly issue orders on the recommendations made.

(*b*) Action is being taken to place the bills proposed in the Report before the Representative Assembly and the Legislative Council.

Adjournment Motion.

Mr. PRESIDENT.—I wish to inform the House that I have received notice of an adjournment motion signed by Messrs. D. S. Mallappa, H. B. Gundappa, D. H. Chandrasekharaiya and others which reads as follows :—

"That the business of the House do stand adjourned for discussing a denfiite matter of urgent public importance, *viz.*, the serious disturbance that took place at the Lakshmi Talkies, Channapatna on the night of the 16th instant, as reported in the issue of the "Vrittanta Patrike" of the 23rd June 1938, when a large number of ruffians armed with lathis, sickles, etc., rushed into the theatre, assaulted and molseted women and fell on the crowd from all sides causing injuries to many and the subsequent communal tension that is prevailing in the area."

The matter proposed to be discussed is in order. Has anybody any objection to its being discussed ?

I take it that no one has any objection. We shall discuss it at 4 P.M.

GOVERNMENT BUSINESS BILLS.

The Mysore Cigarettee-Tobacco Safs-Guarding Bill.

(*a*) *Motion that the Bill published under ruled* 8 *of the Rules of Business be rea in Council.*

The SECOND M (REMBE Rajamantrapravina N. Madhava Rau).—Sir, in asking for the leave of the House to introduce the Cigarette-Tobacco Safeguarding Bill, I would invite the attention of the hon. members to a few salient facts relating to tobacco cultivation in Mysore which will explain the need for such a measure of legislation.

Tobacco is cultivated in small patches around about village sites and in the backyards of houses in many parts of the State. The crop is intended for the most part, for local if not for domstic consumption. But in some taluks, tobacco is cultivated on a more extensive scale as a commercial crop for the manufacture of beedies and snuff and for chewing purposes

A few years ago the cultivation to Virginia tobacco for the manufacture of cigarettes was introduced by a British Company near Whitefield, but the experiment was not apparently found to be commercially successful and was therefore given up. The Government thereafter arranged for a survey being made

by Mr. C. B. Samuel as to the possibility of tobacco cultivation in the State. This survey, followed by two years of experimental working at considerable cost, having convinced the Government that there is good scope for the cultivation of high grade cigarette-tobacco in the State, a joint stock company was formed for the purpose of developing the industry. Government subscribed one-tenth of the share capital and spared the services of some of its officers to help in the management and supervision of the operations. It was made clear from the outset that the efforts of the Company to develop tobacco cultivation should be supplemented, where possible, by smaller organisations of agriculturists and by indi idual landowners having the requisite enterprise and capital. A scheme for granting loans for the construction of barns was accordingly sanctioned.

The bill before us deals exclusively with flue-cured cigarette tobacco and has no application to the varieties usually grown in the State for other purposes. There are some features of this tobacco, firstly, as to cultivation and secondly, as to marketing, which should be borne in mind.

This is an exotic hybrid variety and f the special qualities for which it is anced by cigarette manufacturers are to be maintained, the necessary seed has to be imported from abroad at requent intervals. The raising of seedlings requires extreme care and is, besides, expensive, which means that the supply of seedlings can only be und rtaken by agriculturists having the necessary experience and resources. If pure tested seed was not imported at the prop r time there is risk of splitting and the propagation of mixtures instead of the true type. In view of this, the bill provides that persons who raise and supply seed to the raiyats should be licensed and that in granting licenses regard should be had to the source from which the nurseryman obtains the supply of seed.

Virginia tobacco for cigarettes differs from country tobacco in that it is flue-cured in barns and not sun-dried as in the case of country tobacco. This is also something of a skilled operation and an expensive one. The construction of a pair of barns which is considered to be the smallest economic unit, costs somsething like Rs. 2,000. Ordinarily, the cultivator cannot be expected to construct barns of his own. In the majority of cases he must sell the green leaf to the curer and as the leaf must be plucked and cured as it gets ready, he would be entirely at the mercy of the curer as regards the price of the leaf unless it was fixed in advance and in an equitable manner. These considerations dicatte the need for licensing curers and for ensuring that they paid a proper price to the cultivators for the green leaf. According to the bill and the rules to be framed under it, it is proposed to constitute a committee

on which all the concerned interests will be represented, to fix the minimum price for each season.

It may be observed that as regards the two provisions which I have just referred to, the bill follows very closely the Sugarcane Safeguarding Act of 1934.

The tobacco plant is a sensitive plant and is subject to disease and attack of pests which unless attended to in time, may not only destroy the infected crop, but may spread even to country tobacco in the neighbourhood and find a permanent lodging place in the affected area. The bill accordingly provides for action being taken by the Agricultural Department to deal effectively such plant disease and destructive pests. I may note that the powers given to the Agricultural Department in this respect are not new, as similar powers can be exercised even at present without fresh legislation under the Destructive Insects and Pests Act. The object of introduing the provisions relating to the control of plant diseases in this bill is to make it a self-contained measure.

The Indian market for high grade cigarette-tobacco is already supplied to a considerable extent from Indian sources and if the cultitvat'on of this tobacco is to spread, as we hope it will, we must look to foreign markets, particularly the British market which is restricted and fastidious. The cured tobacco must be redried and graded in conformity with the standards that the British market demands. It has been stated that the Indian cigarette-tobacco fetches about half the price that it might otherwise realise owing to poor gradirg and the absence of regulation. It is therefore, necessary to encourage the proper grading of tobacco if the raiyat is to get the full return for his labour. But it will be noticed that the clauses in the bill with regard to grading are purely permissive in character and are calculated to popularise correct grading rather than to enforce it by mandatory or restrictive provisions.

In conclusion, I would refer to the following remarks of Sir John Russell, an expert who recently investigated and reported upon Indian agricultural problems :—

> "Tobacco has many advantages as a cash crop and its cultivation deserves cautious encouragement.
>
> * * * *
>
> The production of good quality tobacco requires a good deal skill at all stages. The crop has to be well grown, adequately manured, carefully harvested, dried and cured in flue barns. A cultivator who can produce tobacco well is equal to any type of crop production."

The object of the bill is to secure the "cautious encouragement" of the cultivation of a new variety of tobacco, to protect the cultivator against possible exploitation by more powerful interests in the industry and to prevent haphazard cultivation and marketing, which, if left unregulated, might result in the disorganisation or even failure of a promising industry.

The principles of the bill were accepted by the Representative Assembly at the last session.

I move that the bill be read in Council.

The SECRETARY TO GOVERNMENT, DEVELOPMENT DEPARTMENT (Mr. M. Venkatanaranappa).—Sir, I beg to second the motion.

Mr. D. S. MALLAPPA (speaking in Kannada).—

ಮಿ॥ ಡಿ. ಎಸ್. ಮಲ್ಲಪ್ಪನವರು.—ಸ್ವಾಮಿ. ಈ ಮಸೂದೆಯ ಅಗತ್ಯದ ವಿಷಯದಲ್ಲಿ ಯಾವ ಸರಿಯಾದ ಕಾರಣಗಳನ್ನು ಸಹ ತಮ್ಮ ಭಾಷಣದಲ್ಲಿ ತಾವು ತಿಳಿಸಲಿಲ್ಲ. ಈ ಮಸೂದೆಯು ಇಲ್ಲದಿರುವುದರಿಂದ ಹೊಗೆ ಸೊಪ್ಪಿನ ಬೆಳೆಗೆ ದೇಶದಲ್ಲಿ ಯಾವ ರೀತಿ ತೊಂದರೆಯುಂಟಾಗಿದೆ ಯಾವ ಪ್ರದೇಶಗಳಲ್ಲಿ ರೋಗಾದಿಗಳು ಬೆಳೆಗೆ ತಗಲಿ ರೈತರಿಗೆ ನಷ್ಟವುಂಟಾಗಿದೆ ಎಂಬ ಅಂಶಗಳನ್ನು ತಾವು ತಿಳಿಸುತ್ತೀರೆಂದು ಭಾವಿಸಿದ್ದೆವು. ಅಲ್ಲದೆ ಈ ಸಂಬಂಧವಾಗಿ ರೈತರಿಂದ ಸರ್ಕಾರಕ್ಕೆ ಏನಾದರೂ ಅಹವಾಲುಗಳು ಬಂದಿದ್ದು ಅವರು ಹೊಗೆ ಸೊಪ್ಪನ್ನು ಬೆಳೆಯುವುದಕ್ಕೆ ಈಗ ಅನಾನುಕೂಲವುಂಟಾಗಿದೆ ಎಂಬ ಅಂಶವೂ ತಿಳಿದು ಬಂದಿಲ್ಲ. ಈ ವಿಷಯದಲ್ಲಿ ಯಾವುದೊಂದು ತಖ್ತೆಯನ್ನಾಗಲಿ ಅಂಕೆಗಳನ್ನಾಗಲಿ ತಾವು ಒದಗಿಸಿಲ್ಲ. ಇಂಥದರಲ್ಲಿ ಈ ಮಸೂದೆಯ ಅಗತ್ಯವೇನೆಂದು ಆ ರೋಢನೆ ಮಾಡಬೇಕಾಗಿದೆ. ಮುಖ್ಯವಾಗಿ ಈ ಕಾನೂನಿನ ವಿಷಯದಲ್ಲಿ ಜನರಿಗೆ ಒಂದು ಶಂಕೆಯಿದೆ. ರೈಸೆನ್ಸು ಕೊಡುವ ಅಧಿಕಾರವನ್ನು ಸರ್ಕಾರದವರು ಇಟ್ಟುಕೊಂಡಿರುವುದರಿಂದ ಕೆಲವರಿಗೆ ಮಾತ್ರವೇ ರೈಸೆನ್ಸುಗಳು ದೊರೆತು ಅನೇಕ ಜನರಿಗೆ ಈ ಅವಕಾಶವು ಸಿಕ್ಕುವುದಿಲ್ಲ. ಇದರಿಂದ ರೈತರಿಗೂ ಸಹ ತಾವು ಬೆಳೆದ ಬೆಳೆಗೆ ಸರಿಯಾದ ಬೆಲೆ ಸಿಕ್ಕುವುದಿಲ್ಲ. ಈಗ ತಾನೇ ಶ್ರೀ॥ ನುಬ್ಬಣ್ಣಾಚಾರ್ಯರು ಒಂದು ಮಾತನ್ನು ಹೇಳಿದರು, ಸಕ್ಕರೆ ಕಾರ್ಖಾನೆಯಲ್ಲಿ ಆದಾಯವು ಬಹಳವಾಗಿ ಬರುತ್ತಿರುವುದು ರೈತರಿಗೆ ವಾಸ್ತವವಾಗಿ ದೊರೆಯ ಬೇಕಾಗಿರುವಷ್ಟು ಪ್ರತಿಫಲವನ್ನು ಅವರಿಗೆ ದೊರಕಿಸಿ ಕೊಡಲಿ ಇರುವದರಿಂದ, ಎಂದು ರೈತರ ಆದಾಯವನ್ನು ಕೊಂಚಮಟ್ಟಿಗೆ ಕಿತ್ತುಕೊಂಡು ಅದನ್ನು ಷೇರುದಾರರಿಗೆ ಅಲ್ಲ ಕೊಡುತ್ತಿದ್ದಾರೆಂದು ತಿಳಿದುಬರುತ್ತದೆ. ಅದೇ ರೀತಿಯಲ್ಲಿ ಹೊಗೆ ಸೊಪ್ಪಿನ ಕಂಪೆನಿಯವರು ಕೂಡ ನಡೆಸಬಹುದೆಂದು ನಂಬಬಹುದಾಗಿದೆ. ತಾವು ಸಹಾಯ ಮಾಡುತ್ತಿರುವ ಕಾರ್ಖಾನೆಯ ಆದಾಯವೊಂದನ್ನೇ ತಾವು ದೃಷ್ಟಿಯಲ್ಲಿಟ್ಟುಕೊಂಡು ರೈಸೆನ್ಸು ಕೊಡುತ್ತಬಂದರೆ ಅದರಿಂದ ತೊಂದರೆಯುಂಟಾಗುವುದು ಜನರಿಗೆ. ಅದಕ್ಕೆ ಬದಲಾಗಿ ಇಂಥ ಯಾವ ನಿರ್ಬಂಧವೂ ಇಲ್ಲದ ಪಕ್ಷದಲ್ಲಿ ಅನೇಕರು 'ಬಾರ್ಡ್ ಗಳನ್ನು ಇಟ್ಟುಕೊಂಡು ರೈತರಿಗೆ ಹೆಚ್ಚು ಗಿರಾಕಿಯೂ ಮತ್ತು ಅವರು ಬೆಳೆದ ಹೊಗೆ ಸೊಪ್ಪಿಗೆ ಸರಿಯಾದ ಬೆಲೆಯೂ ಸಿಕ್ಕಲು ಅವಕಾಶವಾಗುತ್ತದೆ. ಒಬ್ಬರೇ 'ಬ್ಯಾರ್ಡ್' ಇಟ್ಟುಕೊಂಡಿದ್ದ ಪಕ್ಷದಲ್ಲಿ ಅವರ ಮೇರೆ ಪೈಪೋಟಿಯಿಲ್ಲದುದರಿಂದ, ತಾವು ಎಷ್ಟೇ ರೀತಿಯಲ್ಲಿ ನಿರ್ಬಂಧವನ್ನು ಕಲ್ಪಿಸಿದ್ದರೂ ಕೂಡ ರೈತರಿಗೆ ಸರಿಯಾದ ಬೆಲೆ ಸಿಕ್ಕುವುದಿಲ್ಲ. ಈ ಕಾರಣದಿಂದ ನಾವು ಈ ಮಸೂದೆಗೆ ವಿರೋಧವಾಗಿ ಮಾತನಾಡ ಬೇಕಾಗಿ ಬಂದಿದೆ. ಇದರಲ್ಲಿ ಕೆಲವು ಬದಲಾವಣೆಗಳನ್ನು ಮಾಡುವುದಕ್ಕೆ ತಾವು ಒಪ್ಪುವ ಪಕ್ಷದಲ್ಲಿ ಇದನ್ನು ಅನುಮೋದಿಸಬಹುದಾಗಿದೆ. ಮುಖ್ಯವಾದ ಬದಲಾವಣೆಯೆಂದರೆ ರೈಸೆನ್ಸ್ ಕೊಡುವುದಕ್ಕಾಗಿ ಖಾಸಗಿ ಜನರ ಸಂಖ್ಯೆ ಹೆಚ್ಚಾಗಿರುವಂತೆ ಒಂದು ಸಮಿತಿಯನ್ನು ನೇಮಕಮಾಡಿ ಆ ಅಧಿಕಾರವನ್ನು ಅವರಿಗೆ ವಹಿಸಿಕೊಡಲು ತಾವು ಒಪ್ಪುವ ಪಕ್ಷದಲ್ಲಿ ಇದಕ್ಕೆ ನಾವು ಬೆಂಬಲ ಕೊಡುತ್ತೇವೆಯೇ ಹೊರತು ಈಗಿರುವಂತೆ ಒಪ್ಪಲು ಸಾಧ್ಯವಿಲ್ಲ. ಇದೇರೀತಿಯಲ್ಲಿ ಭರವಸೆಯನ್ನು ಕೊಟ್ಟಿದ್ದ ಪಕ್ಷದಲ್ಲಿ ಪ್ರಜಾ ಪ್ರತಿನಿಧಿಸಭೆಯಲ್ಲಿ ಕಾಂಗ್ರೆಸ್ ಪಾರ್ಟಿಯವರು ಇದಕ್ಕೆ ಬೆಂಬಲ ಕೊಡುತ್ತಿದ್ದರು ಎಂದು ನಾನು ಖಂಡಿತವಾಗಿ ಹೇಳಬಲ್ಲೆ. ಈ ರೀತಿಯಲ್ಲಿ ಭರವಸೆಯನ್ನು ತಾವು ಕೊಡೋಣಾಗಲಿ. ತಾವು ನೇಮಕ ಮಾಡತಕ್ಕ ಸಮಿತಿಯಲ್ಲಿ ಖಾಸಗಿ ಜನರ ಸಂಖ್ಯೆ ಹೆಚ್ಚಾಗಿರಬೇಕು. ಒಬ್ಬಬ್ಬರು ಇರುತ್ತಾರೆಂದರೆ ಅದರಿಂದ ಏನೂ ಪ್ರಯೋಜನವಾಗುವುದಿಲ್ಲ. ಈಗ ಕೆಲವು ಕಡೆ ಎಕ್ಸೈಜು ರೈಸೆನ್ಸಿಂಗ್ ಬೋರ್ಡುಗಳಿವೆ. ಅವುಗಳಂತೆ ಅಲ್ಲಿಯೂ ಒಂದು ಸಮಿತಿಯನ್ನು ಮಾಡುತ್ತೇವೆಂದು ತಾವು ಹೇಳುವುದಾದರೆ ಅಂಥ ಸಮಿತಿಯಿಂದ ಯಾವ ಕೆಲಸವೂ ಆಗುವುದಿಲ್ಲ. ಆದುದರಿಂದ ಖಾಸಗಿ ಜನರು ಹೆಚ್ಚಾಗಿರತಕ್ಕ ಒಂದು ಸಮಿತಿಯನ್ನು ತಾವು ನೇಮಕಮಾಡಿ ರೈಸೆನ್ಸು ಕೊಡುವ ಅಧಿಕಾರವನ್ನು ಆಸಮಿತಿಗೆ ವಹಿಸಿಕೊಡುವುದಾದರೆ ನಾವು ಈ ಮಸೂದೆಯ ವಿಷಯದಲ್ಲಿ ಸಹ ಕರಿನುವುದಕ್ಕೆ ಅವಕಾಶವಾಗುತ್ತದೆಯೇ ಹೊರತು ಇಲ್ಲದಿದ್ದರೆ ಇದನ್ನು ವಿರೋಧಿಸ ಬೇಕಾಗುತ್ತದೆ.

Mr. T. RAMACHANDRA.—Sir, in supporting this Bill, I desire to express the thanks of the raiyats to the Government for having brought up this Bill. Government have done this not a day too soon. It is only now, Sir, that tobacco is being culitvated in our State as a commercial crop. And when there is a steady market not only in the State but even outside in the world for a crop which is grown in our country, it is but proper to standardise the quality of the cultivation. It was mentioned by the previous speaker that the Government had not made out a case as to whether the crop that is grown had any diseases and whether there were any defects in cultivation. I desire to point out to Mr. Mallappa that it is only now that tobacco is beginning to be cultivated and it is good that the State is taking action to have curing barns. We know, Sir, that in several parts of India there is the Cotton Growing Act for the proper quality, cultivation and standardisation of cotton. It is therefore very necessary that in a climate and soil that is most conducive to the cultivation of tobacco, the Government should introduce such a measure. It has been pointed out that there will be difficulties experienced by the growers in securing licenses. I should suggest to the Government that under Section 18 (2) (*d*), where the Government are contemplating the appointment of advisory committees, they might empower these committees to grant licenses. And if that procedure may not be feasible, those committees might be empowered to hear appeals for the non-grant of licenses. For all the licensees need not wait for the committee to meet and grant licenses. The committee may lay down certain rules based upon the Act and in case any party is discontented with the decision of individual officers, it may appeal to the committee. I know, Sir, how tobacco crop in Bangalore District has helped the raiyat to earn as much as Rs. 60 to Rs. 100 per acre, which he could never expect to do with bare ragi crop. I therefore hope that my friends on the Congress side, who represent the masses of the country will not find any difficulty in supporting this measure.

Kannada Matter.

ಮಿ|| ಎಂ. ಸಿ. ರಾಗೇಗೌಡರು.—ಈ ಮಸೂದೆಯನ್ನು ಅನುಮೋದಿಸುತ್ತ ಒಂದೆರಡು ವಿಷಯಗಳನ್ನು ಹೇಳ್ತೀನೆ. ಈಗ ಅರ್ಬಿ ನಾರೆಯ ಕೆಳಗೆ ಕಬ್ಬನ್ನು ಬೆಳೆಯದೆ ಇರುವ ಕಾಲದಲ್ಲಿ ಬೇರೆ ಯಾವುದಾದರೂ ಬೆಳೆಯನ್ನಿಡುವುದಕ್ಕೆ ತಕ್ಕ ಸಲಹೆ ಕೊಡಬೇಕೆಂದು ವ್ಯವಸಾಯದ ಇಲಾಖೆಯ ಡೈರೆಕ್ಟರವರನ್ನೂ ಇತರ ಅಧಿಕಾರಿಗಳನ್ನೂ ಕೇಳುತ್ತಿದ್ದೆವು. ಅವರ ಮೇರೆ ಅಂಥ ಜಮೀನುಗಳಲ್ಲಿ ಹೊಗೆಸೊಪ್ಪನ್ನು ಬೆಳೆಯುವುದಕ್ಕೆ ಈಚೆಗೆ ಎರಡು ಕಡೆ ಅವಕಾಶ ಮಾಡಿ ಕೊಟ್ಟಿದ್ದೀರಿ. ಇದರಿಂದ ಆ ಪ್ರದೇಶದ ಜನರಿಗೆ ಬಹಳ ಅನುಕೂಲವುಂಟಾಗಿದೆ.

ಈಗ ಈ ಮಸೂದೆಯಲ್ಲಿ ಮುಖ್ಯವಾಗಿ ವಿಧಾಯಕ ಮಾಡುತ್ತಿರುವುದೇನೆದರೆ ಖಾಸಗಿ ಜನರು ಬ್ಯಾರ್ಜ್ ಗಳನ್ನು ಇಟ್ಟುಕೊಳ್ಳಬೇಕಾದರೆ ಮತ್ತು ಸಸಿಗಳನು ಬೆಳೆಸಬೇಕಾದರೆ ರೈಸೆನ್ಸನ್ನು ತೆಗೆದುಕೊಳ್ಳಬೇಕು; ಎಂದು. ಸಾಮಾನ್ಯವಾಗಿ ಒಂದು ಬ್ಯಾರ್ಜ್ ಕಟ್ಟಬೇಕಾದರೆ ನೂರಾರು ಎಕರೆ ಜಮೀನುಗಳಿಂದ ಅದಕ್ಕೆ ಹೊಗೆಸೊಪ್ಪು ಬರುವ ಹಾಗಿರಬೇಕು. ಒಬ್ಬನೇ ರೈತ ನೂರಾರು ಎಕರೆ ಹೊಗೆಸೊಪ್ಪು ಬೆಳೆದು ಅದಕ್ಕಾಗಿ 'ಬ್ಯಾರ್ಜ್' ಗಳನ್ನು ಕಟ್ಟಿಕೊಳ್ಳುವುದು ವಿರಳ. ಒಂದು

ವೇಳೆ ಹಾಗಿದ್ದರೂ ಕೂಡ ಸರ್ಕಾರದಿಂದ ಒಂದು ಲೈಸೆನ್ಸು ಪಡೆದು ಬ್ಯಾರ್ ಕಟ್ಟಿಕೊಳ್ಳಬಹುದಾಗಿದೆ. ಈ ಅಧಿಕಾರವನ್ನು ಒಂದು ಸಮಿತಿಯವರಿಗೆ ನೇಮಿಸ ಬೇಕೆಂದು ಒಬ್ಬರು ಹೇಳಿದರು. ಆದರೆ ಇದರಲ್ಲಿ ಸಮಿತಿಯವರ ಸಲಹೆಯನ್ನು ತೆಗೆದುಕೊಳ್ಳುವ ಅವಶ್ಯಕತೆ ಕಂಡು ಬರುವುದಿಲ್ಲ. ಇದು ಪಾರಿಭಾಷಿಕ (Technical) ವಿಚಾರ. ವ್ಯವಸಾಯದ ಇಲಾಖೆಯ ಇನ್‌ಸ್ಪೆಕ್ಟರಾಗಲಿ ಅಥವಾ ಅಸಿಸ್ಟೆಂಟ್ ಡೈರೆಕ್ಟರವರಾಗಲಿ ಈ ಕೆಲಸ ನಡೆಸುವುದು ಒಳ್ಳೆಯದೇ ಹೊರತು ಇದನ್ನು ಒಂದು ಸಮಿತಿಯವರಿಗೆ ವಹಿಸುವುದು ಸರಿಯಲ್ಲ. ಒಂದೊಂದಕ್ಕೂ ಹೀಗೆ ಸಮಿತಿಯನ್ನು ಮಾಡುತ್ತ ಹೋದರೆ ಕೆಲಸ ನಡೆಯುವುದು ಕಷ್ಟವಾಗುತ್ತದೆ. ಈಚೆಗೆ ಸಮಿತಿಗಳನ್ನು ನೇಮಕ ಮಾಡುವುದೇ ಒಂದು ಪದ್ಧತಿಯಾಗಿ ಬಿಟ್ಟಿದೆ. ಇದನ್ನು ನೋಡಿದರೆ ಈ ಸಮಿತಿಗಳಿಗಾಗಿಯೇ ಒಬ್ಬ ಮಂತ್ರಿಗಳನ್ನು ನೇಮಕ ಮಾಡಬೇಕೋ ಏನೋ.

ಈ ಮಸೂದೆಯ ಸಂಬಂಧವಾಗಿ ಬರತಕ್ಕ ಮೊಕ್ಕದ್ದೆಮೆಗಳನ್ನು ವಿಚಾರಣೆ ಮಾಡಬೇಕಾದರೆ ಮೊದಲನೆಯ ದರ್ಜೆಯ ಮ್ಯಾಜಿಸ್ಟ್ರೇರೇ ಮಾಡಬೇಕೆಂದು ಇದರಲ್ಲಿ ಗೊತ್ತು ಮಾಡಿದೆ. ಇದರಿಂದ ಸ್ವಲ್ಪಮಟ್ಟಿಗೆ ತೊಂದರೆಯುಂಟಾಗುತ್ತದೆ. ಎರಡನೆಯ ಅಥವಾ ಮೂರನೆಯ ದರ್ಜೆಯ ಮ್ಯಾಜಿಸ್ಟ್ರೇಟರುಗಳಾದರೂ ಚಿಂತೆಯಿಲ್ಲ. ಆ ರೀತಿ ಇದನ್ನು ಬದಲಾಯಿಸಬೇಕಾಗಿದೆ. ಅಥವಾ ರೋಗ ಬಂದ ಬೆಳೆಯನ್ನು ನಾಶಮಾಡಬೇಕಾದರೆ ವ್ಯವಸಾಯದ ಇಲಾಖೆಯ ಡೈರೆಕ್ಟರವರೇ ಅಪ್ಪಣೆ ಮಾಡಿ ಅದನ್ನು ನಾಶಪಡಿಸಿದರೂ ಸಾಕಾಗಿದೆ. ಅದಕ್ಕಾಗಿ ನಾವು ಅಷ್ಟು ದೂರ ಹೋಗಬೇಕಾಗಿಲ್ಲ. ಸಮಿತಿಯನ್ನು ನೇಮಿಸುವ ವಿಷಯದಲ್ಲಿ ಇನ್ನೊಂದು ಮಾತು ಹೇಳಬೇಕಾಗಿದೆ. ಮಂಡ್ಯದ ಪ್ರದೇಶದಲ್ಲಿ ಕಬ್ಬಿನ ಬೆಳೆಯನ್ನು ಗೊತ್ತುಮಾಡುವುದಕ್ಕಾಗಿ ಒಂದು ಸಮಿತಿಯನ್ನು ನೇಮಕ ಮಾಡಿದಿರಿ. ಆದರೆ ಅವರು ನಿಷ್ಕರ್ಷೆ ಮಾಡಿದ ಬೆಲೆಯನ್ನೇನೂ ಸರ್ಕಾರದವರು ಒಪ್ಪಿಕೊಳ್ಳಲಲ್ಲ. ಕಂಪೆನಿಯವರ ಸಲಹೆಯನ್ನು ಕೇಳಿ ಅದರ ಮೇರೆಗೆ ಯಾವುದೋ ಬೆಲೆಯನ್ನು ಠರಾವು ಮಾಡಿದಿರಿ. ಈಚೆಗೆ, ಕ್ಲೋಸ್‌ಪೇಟೆಯ ಒಳಿ ಬೆಳೆದ ಹೊಗೇ ಸೊಪ್ಪಿಗೆ ಪೌಂಡು ಒಂದಕ್ಕೆ ಎರಡು ಕಾಸಿನಂತೆ ಕೂಡ ಕೊಟ್ಟರುತ್ತಾರೆಂದು ತಿಳಿದು ಬಂದಿದೆ. ಇದರಿಂದ ಜನರಿಗೆ ತೊಂದರೆಯಾಗುತ್ತದೆ. ಇದನ್ನೆಲ್ಲಾ ನರಿ ಪಡಿಸಬೇಕು; ಜನರಿಗೆ ಹೆಚ್ಚು ಪ್ರಯೋಜನವಾಗಬೇಕು. ಈಗ ತಂದಿರುವ ಮಸೂದೆಯಿಂದ ಇದು ಆಗಬಹುದೆಂದು ನಮಗೆ ಬರವಸೆಯಿದೆ. ಹೊಗೆಸೊಪ್ಪು ಭತ್ತ ರಾಗಿಗಳಿಂತ ಹೆಚ್ಚು ಲಾಭಕರವಾದುದೆಂದು ಎಲ್ಲರಿಗೂ ಗೊತ್ತಿದೆ. ಭತ್ತ ಬೆಳೆಯಬೇಕಾದರೆ ಆರು ತಿಂಗಳಾಗುತ್ತದೆ; ರಾಗಿಗೆ 5 ಅಥವಾ 6 ತಿಂಗಳಾಗುತ್ತದೆ. ಹೊಗೆಸೊಪ್ಪಾದರೋ ಸಸಿಯನ್ನು ಹಾಕಿದ ಮೇರೆ ಮೂರು ತಿಂಗಳಿಗೆ ಬೆಳೆ ಬರುತ್ತದೆ. ಮತ್ತು ಇದರ ಬೆಲೆಯು ಸಹ ಹೆಚ್ಚಾಗಿರುತ್ತದೆ. ಆದುದರಿಂದ ಇದು ಜನರಿಗೆ ಬಹಳ ಪ್ರಯೋಜನಕರವಾದುದೆಂಬುದರಲ್ಲಿ ಸಂದೇಹವಿಲ್ಲ. ಸರ್ಕಾರದವರು ಘನವಾದ ಉದ್ದೇಶದಿಂದ ಈ ಮಸೂದೆಯನ್ನು ತಂದಿರುತ್ತಾರೆ. ಒಂದು ವೇಳೆ ಇದರಲ್ಲಿ ತೊಂದರೆಯೇನಾದರೂ ಬರುವುದಾದರೆ ಮುಂದೆ ಸರಿಪಡಿಸಿಕೊಳ್ಳೋಣ. ಈಗ ಇದನ್ನು ಅನುಮೋದಿಸುವುದು ಸೂಕ್ತವಾಗಿದೆ.

ಮಿ॥ ಜಿ. ಗಿರಿಯಾಜಿರಾಯರು.—ಸ್ವಾಮಿ, ಈ ಮಸೂದೆಯನ್ನು ತಂದಿರುವುದಕ್ಕಾಗಿ ಸರ್ಕಾರದವರನ್ನು ಅಭಿನಂದಿಸಬೇಕಾಗಿದೆ. ಇದರಿಂದ ವ್ಯವಸಾಯಗಾರರಿಗೆ ತುಂಬಾ ಪ್ರಯೋಜನವಿದೆ. ಹೊಗೆಸೊಪ್ಪಿನ ಬೆಳೆಗೆ ಸಾಮಾನ್ಯವಾಗಿ ಬೂದಿ ರೋಗ ಹೇನು ರೋಗ ಎಂಬ ಕಾಯಿಲೆಗಳು ಬರುತ್ತವೆ. ಅವನ್ನು ಹೋಗರಾಡಿನುವುದಕ್ಕೆ ಮತ್ತು ಇತರ ಜಮೀನುಗಳಿಗೆ ಅವು ಹರಡದಂತೆ ಮಾಡುವುದಕ್ಕೆ ಅಂಥ ಗಿಡಗಳನ್ನು ಕಿತ್ತು ಹಾಕಿ ಎಂದರೆ ಅವರು ಕೇಳುವುದಿಲ್ಲ. ಇಂಥ ಕಾನೂನು ಇದ್ದರೆ ಕಡ್ಡಾಯವಾಗಿ ಅದನ್ನು ಮಾಡಿಸಬಹುದು. ಈ ರೀತಿಯಿಂದ ರೈತರಿಗೆ ಹೆಚ್ಚು ಪ್ರಯೋಜನವಿದೆ; ಹೆಚ್ಚು ಆದಾಯವಿದೆ. ಕೋರಾರ ಡಿಸ್ಟ್ರಿಕ್ಟಿನಲ್ಲಿ ಯಾವಾಗಲೂ ಮಳೆ ಕಡಮೆಯೆಂದು ನಾವು ಹೇಳುತ್ತಿದ್ದೇವೆ. ಹೊಗೆಸೊಪ್ಪಿನ ಬೆಳೆಗೆ ಮಳೆಯೇನೂ ಹೆಚ್ಚಾಗಿಬೇಕಿಲ್ಲ. ಗೊಬ್ಬರ ಕೂಡ ಅದಕ್ಕೆ ಹೆಚ್ಚಾಗಿಬೇಕಿಲ್ಲ ಎಂಬುದಾಗಿ ಈ ಸಂಸ್ಥಾನದಲ್ಲಿ ಸರ್ವೆ ನಡೆಸಿದ ಮಿ॥ ಸ್ವಾಮ್ಯಯ್ಯರ್‌ರವರು ಅಭಿಪ್ರಾಯಪಟ್ಟಿದ್ದಾರೆ. ಈ ಬೆಳೆಯು ನಮ್ಮ ಡಿಸ್ಟ್ರಿಕ್ಟಿನಲ್ಲಿ ಜಾರಿಗೆ ಬಂದರೆ ಪದೇ ಪದೇ ಕಂದಾಯವನ್ನು ಕಡಮೆ ಮಾಡಿರೆಂದು ಕೇಳುವುದು ಸಹ ತಪ್ಪಿ ಹೋಗುತ್ತದೆ. ರೈತರ ಆರ್ಥಿಕ ಸ್ಥಿತಿಯು ಇದರಿಂದ ಖಂಡಿತವಾಗಿಯೂ ಉತ್ತಮಗೊಳ್ಳುತ್ತದೆ. ತಾವು ನಮೂದಿಸಿರುವಂತೆ ಸಸಿಗಳನ್ನು ಬೆಳೆಸುವುದಕ್ಕೆ ಲೈಸೆನ್ಸನ್ನು ಇಡಲೇಬೇಕು, ಸಿಕ್ಕಿದ ಜನರೆಲ್ಲಾ ಸಸಿಗಳನ್ನು ಬೆಳೆಸುವುದಕ್ಕೆ ಹೊರಟರೆ ಒಳ್ಳೆಯ ಸಸಿಗಳು ದೊರೆಯದೆ ರೈತರ ಬೆಳೆ ಕೆಟ್ಟು ಹೋಗಿ ನಷ್ಟವಾಗುತ್ತದೆ. ಆದಕ್ಕಾಗಿ ಲೈಸೆನ್ಸನ್ನು ಇಡುವುದೇ ಉತ್ತಮ. ಆದುದರಿಂದ ಈ ಮಸೂದೆಯನ್ನು ನಾನು ಅನುಮೋದಿಸುತ್ತೇನೆ.

Mr. K. R. SUBBANNACHAR.—I do not think there can be two opinions as to the necessity for some Bill of this kind. The argument that the raiyat has all along been growing tobacco successfully even without this Bill does not hold water for this reason: that the tobacco now contemplated to be grown is of a new variety in the growing of which the raiyat has no experience. I quite see the apprehensions of my Congress colleague Mr. Mallappa whether the Government, after all, have not behind their minds the intention of creating a monopoly in this trade. But, the remedy he has suggested is the appointing of a committee with a non-official majority. I am not prepared to agree to it. On the other hand, a more probable and a more reasonable suggestion would be this: In clause 6, it is stated that the decision of the Government as to whether a licence may or may not be granted shall be final. What I want to submit is that the Government should have no right to refuse a licence in cases where necessary conditions are there. It is only when an applicant is unable to fulfil the conditions preliminary for the granting of a licence, that the licence should be refused. In all other cases, the Government should have no power to refuse the grant of licence. In that case, there will be a number of farms and there will be no fear of monopoly.

Secondly, clause 18 (*a*) contemplates the fixing of prices by the Government. If the price too is fixed, I do not believe the industry or agriculture would be safe. What is more reasonable would be that the Government should have power to fix up only the minimum and maximum prices

Mr. N. MADHAVA RAU.—That is the idea.

Mr. K. R. SUBBANNACHAR.—If so, I have no complaint regarding that.

The only objection is about the finality of the decision of Government in granting of licences. If it is made obligatory on the part of the Government to issue licences in all cases where conditions are favourable, I am sure my Congress friends also would vote for this Bill. There would be no monopoly at all.

With these words, I have great pleasure in supporting this measure.

Khan Bahadur MAHOMED ABBAS KHAN.—Sir, so long as it is not contemplated to interfere with the ordinary growth of tobacco cultivation intended for beedies and other.....

Mr. N. MADHAVA RAU.—That is outside the purview of this Bill.

Mr. MAHOMED ABBAS KHAN.—You have made it clear that the growing of tobacco intended for *Beedies* and other doestic uses is outside the purview of this measure. So, there ought not to be any apprehension why this measure which is calculated to be of a beneficial nature should not be approved

The bill is restricted only to the cigarette tobacco. The local people, at least several among them, do not know what cigarette tobacco is. I know that it is so in the Mysore District and in several of the villages in the Kolar District. They know only the sun-dried tobacco. This Bill will not interfere with that trade or with the ordinary cultivation of such a quality. Therefore, there ought not to be any objection to this measure. What is intended is high-grade tobacco. This is particularly intended for the manufaeture of cigarettes, and the measure is calculated to be beneficial to the cultivator. I understand it gives a yield of Rs. 60 to Rs. 70 per acre. There is absolutely no objection to our giving support to this motion, on the distinct understanding that the cultivation of ordinary tobacco is not brought within the purview of this measure.

Mr. P. SUBBARAMA CHETTY.— Sir, I have great pleasure in supporting this Bill. Of late, there has been some complaints that the Company that has been started in our State does not at all pay proper prices for the green tobacco leaf supplied to the Company. So, in the interest of the cultivator of tobacco, it is very desirable and necessary that a reasonable minimum rate should be fixed. As regards the quality of tobacco a certain high grade quality is very necessary for the manufacsure of cigarettes. If only when tobacco of high quality is grown that there is good price. Otherwise you will not get even the price that you are getting for country tobacco. So all precautions to maintain the quality of tobacco ought to be taken in the interest of the raiyats and in the interest of the reputation of the tobacco that is grown inour State. In order to prevent the spread of diseases, necessary precautions must be taken; otherwise, it will very easily spread from one tree to another; especially a disease called Ash disease very rapidly spreads.

No doubt, the Bill has got several provisions which are objectionable, especially the penal provisions. But these are matters that may be considered by the Select Committee. By having introduced this kind of tobacco in our country, I think the Government have done a great service to the agriculturist population of the State. By growing this tobacco they can get Rs. 50 to Rs. 60 per acre which they cannot hope to realize even if they get a bumper crop of ragi. Therefore I whole-heartedly support this Bill.

Mr. D. H. CHANDRASEKHARAIYA.— Sir, in speaking about this measure, I would like to make it clear that the general principles of the bill are acceptable to all of us. Mr. Mallappa has already stated that there could be no disagreement on the general principles. But it is the operative portion of this

measure that is objected to. Speaking first about the principles of this useful measure, I may say that the most important commercial crops grown in our State are tobacco, cotton and ground-nut and every attempt should be made to maintain them in their highest quality. Any negligence is sure to affect their prospects. For example, by not taking proper steps in time, the cotton crop has deteriorated in quality and has not been fetching proper prices. Similarly, in regard to tobacco which has no extensive area at present but which has large prospects of development as a commercial crop all over the State, it is necessary that from the very commencement, care is taken that only good seeds are obtained and that proper cultivation is carried on without being caught by diseases and pests. Even after the crop is harvested, it is to be cured under proper conditions. Then comes marketing which requires proper grading of the article in order that it may fetch advantageous prices outside our country. In fact, commercial crops can be sold to gain only if we can satisfy the conditions obtaining elsewhere. Hence the object of the bill is very good, and there can be no objection on that ground. But great apprehension prevails in respect of the operation of the bill provided in clause 4. It is here provided that licence should be taken for raising of seed beds, for supply of seedlings to growers, and for the construction of barns for curing cigarette tobacco. The fear entertained is that in granting licences, the Government will not be fair and impartial. In order to remove this fear, it is best that a committee or a board wherein non-officials are in a majority is appointed and consulted whenever such licences are to be issued. There are several cases in which the Government consult the non-officials before granting licences, as for example, the Traffic Board which settles all questions relating to the granting of licences for running motor buses. A board like that will be of great assistance to the Government in deciding upon licences to be granted under this Act. I think that if this fear is removed from the minds of the non-officials, there would be no objection to supporting a measure of this kind which is very necessary in the interest of a commercial crop like tobacco.

ಮಿ॥ ಬಿ. ಆರ್. ಪುಟ್ಟನಂಜಪ್ಪನವರು.—ನನ್ನ ಸ್ನೇಹಿರಾದ ಮಿ॥ ಚಂದ್ರಶೇಖರಯ್ಯನವರು ಮತ್ತು ಮಿ॥ ಮಲ್ಲಪ್ಪನವರು ಹೇಳಿದ ಮಾತನ್ನು ನಾನು ಅನುಮೋದಿಸುತ್ತೇನೆ. ಹೊಗೆಸೊಪ್ಪಿನ ಬೆಳೆಯನ್ನು ಯಾವ ರೀತಿ ಬೆಳೆಸಬೇಕು, ಯಾವ ತರದ ಸಸಿಗಳನ್ನು ಹಾಕಬೇಕು ಇವೇ ಮುಂತಾದ ವಿಚಾರಗಳಲ್ಲಿ ಸರ್ಕಾರದವರು ಅಧಿಕಾರವನ್ನಿಟ್ಟುಕೊಳ್ಳಬೇಕೆಂಬುದನ್ನು ಎಲ್ಲರೂ ಒಪ್ಪುತ್ತಾರೆ. ಇಲ್ಲಿ ಕಾಂಗ್ರೆಸ್ ಪ್ರಾರ್ಟಿಯ ಪರವಾಗಿ ಮಿ॥ ಮಲ್ಲಪ್ಪನವರು ಕೂಡ ಇದನ್ನು ಸ್ಪಷ್ಟಪಡಿಸಿದ್ದಾರೆ. ಯಾವ ರೀತಿಯ ಅಧಿಕಾರವನ್ನಿಟ್ಟುಕೊಳ್ಳುವದು ಅವಶ್ಯಕವೋ ಅದಕ್ಕೆ ವಿರೋಧವಾಗಿ ನಾವು ಅಭಿಪ್ರಾಯ ಪಡುವವರಲ್ಲ. ಆದರೆ ರೆಸೆನ್ಸ್ ಕೊಡುವ ಅಧಿಕಾರದ ವಿಷಯದಲ್ಲಿ ಏನಾದರೂ ಪಕ್ಷಪಾತ ನಡೆದೀತೆಂಬ ಕಾರಣದಿಂದ ಒಂದು ಸಮಿತಿಯಾಗಬೇಕೆಂದೂ ಅದರಲ್ಲಿ ಖಾಸಗಿ ಜನರು ಹೆಚ್ಚಾಗಿರಬೇಕೆಂದೂ ಅವರು ಸೂಚಿದ್ದಾರೆ. ಸರ್ಕಾರದವರು ಈ ಸೂಚನೆಗೆ ಗಮನ ಕೊಡಬೇಕೆಂದು ಪ್ರಾರ್ಥಿಸುತ್ತೇನೆ.

*Mr. J. MAHOMED IMAM.—Sir, it has been admitted on all sides that this measure is, for the good of the raiyats and it is also admitted that a certain amount of control is quite necessary if we want to encourage the development of tobacco cultivation and to safeguard the interests of the raiyats. The only objection that is now raised is there is an apprehension on the part of some gentlemen that in future, Government while licensing may not be quite fair or may not be quite strict and they might show partiality. What we have to consider is if there is a real need for the appointment of a committee as suggested by the previous speakers. I must submit that it is due to an unwarranted suspicion against the Government. The Government have got licensing powers in respect of so many other concerns. Some of them are much more important than the one under discussion. Whereas in this Bill the appointment of a committee may or may not be provided for, it should not be a ground for opposing the Bill which is in the bigger interests of the raiyot. If we are satisfied and convinced that this measure is in the interest of tobacco-growers and that tobacco cultivation would tend to improve the economic condition of the country, then everything else must be a secondary consideration So far as the committee is concerned, I do not yield to my friends in my desire that the non-officials should have a voice; but we must consider whether it is workable; and if a committee is appointed whether it will prove beneficial to the people, *i.e.*, the growers of tobacco My friend gave the analogy of licensing bus-owners I think there is lot of difference between tobacco cultivation and the licensing of buses. That is a big concern by itself. Buses have spread throughout the State and there should be a definite control over them for the good of the people. But in the case of tobacco, there seems to be no necessity to have a central committee. If you apply the same analogy, you must have a central committee at Bangalore and subsidiary committees in district headquarters and even in taluk headquarters. If only one committee is appointed in Bangalore, a man in Jagalur who wants to grow tobacco will have to go all the way to Bangalore. So I think this function of licensing may be entrusted to the Agricultural Department. The Director of Agriculture will study the condition of the soil and he will understand whether in a certain area, the soil is suitable for growing tobacco. It is purely a technical question. A non-official body may not be of much help. Supposing a raiyat wants to grow tobacco in a soil which is not fit for the growth, the committee not being an expert body, may not know whether the licence could be given.

Mr. D. S. MALLAPPA,—But the so-called expert will be there to guide the committee.

Mr. J. MAHOMED IMAM.—Then where is the need for a non-official committee? It is purely a technical line requiring special knowledge and it should be worked purely by the Department. A non-official committee cannot give necessary advice on all occasions. Supposing a man is anxious to grow tobacco and if the committee gives him a licence wishout any technical knowledge of the suitability of the soil then the raiyat himself will be put to loss.

So it is best we study how the Bill works for some time. We will put it through if we are convinced that it is a good measure. If we feel that the Government or the Department have been partial in their treatment, we will have ample time and opportunity to change the rule. To stipulate now alone that we will pass the Bill only if the Government would give a guarantee of appointing a non-official committee does not stand to reason or logic. As regards the advisory committee for the purpose of fixing the price and for defining the powers, functions and procedure of such committees, etc., contemplated in rule 18 (*d*), I Think the power of granting licence also may be entrusted to them, if need be. But I would appeal to my friends earnestly not to have this as the main issue, especially as the Bill has been passed by the Representative Assembly. In the interest of the raiyats, let us pass this motion.

ಮಿ। ಬಿ. ಎಸ್. ಪುಟ್ಟಸ್ವಾಮಿಯವರು.—ಸ್ವಾಮಿ, ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಯಲ್ಲಿ ದಿವಾಣ ಅಧ್ಯಕ್ಷರವರು ಉಪ ಸಂಹಾರ ಭಾಷಣ ಮಾಡತಕ್ಕ ಕಾಲದಲ್ಲಿ ಅಪ್ಪಣೆ ಕೊಡಿಸಿದ ಹಾಗೆ ಈ ಮಸೂದೆಯನ್ನು ರೈತರ ಪ್ರಯೋಜನಕ್ಕಾಗಿ ತಂದಿದೆಯೇ ಹೊರತು ಬೇರೆಯಿಲ್ಲ. ಹೊಗೆ ಸೊಪ್ಪನ್ನು ಬೆಳೆಯತಕ್ಕ ರೈತರು ತಾವಾಗಿಯೇ ಬಂದು ಇಂಥದೊಂದು ಮಸೂದೆಯನ್ನು ತರಬೇಕೆಂದು ಸರ್ಕಾರದವರನ್ನು ಕೇಳಬೇಕಾಗಿತ್ತು. ಅದಕ್ಕೆ ಬದಲಾಗಿ ಸರ್ಕಾರದವರೇ ಈ ಮಸೂದೆಯನ್ನು ತಂದಿರುವುದು ನಿಜವಾಗಿಯೂ ರೈತರಿಗೆ ಉಪಕಾರ ಮಾಡಿದ ಹಾಗೆ ಎಂಬುದಾಗಿ ನಾನು ಭಾವಿಸುತ್ತೇನೆ. ಇಂಥ ಮಸೂದೆಗಳನ್ನು ರಾಜಕೀಯ ಪಕ್ಷದವರು ರಾಜಕೀಯ ದೃಷ್ಟಿಯಿಂದ ನೋಡುವುದಕ್ಕೆ ಬದಲಾಗಿ ರೈತರ ಹಿತದ ದೃಷ್ಟಿಯಿಂದ ನೋಡುವುದು ಉತ್ತಮವೆಂದು ಕಾಣುತ್ತದೆ. ಆ ರೀತಿ ಅವರು ರಾಜಕೀಯ ದೃಷ್ಟಿಯಿಂದ ಇದನ್ನು ನೋಡಬಾರದೆಂದು ನಾನು ಅವರನ್ನು ಪ್ರಾರ್ಥನೆ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ. ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಯಲ್ಲಿ ಇದನ್ನು ಕೇವಲ ರಾಜಕೀಯ ದೃಷ್ಟಿಯಿಂದ ನೋಡಿ ಕಾಂಗ್ರೆಸ್ ಪಾರ್ಟಿಯವರು ಇದರ ತತ್ತ್ವವನ್ನು ಕೂಡ ಒಪ್ಪಿಕೊಳ್ಳಲಿಲ್ಲ. ಈ ಸಭೆಯಲ್ಲಿ, ದೈವ ವಶಾತ್, ಸ್ವಲ್ಪ ಮಟ್ಟಿಗೆ ಇದು ನ್ಯಾಯವಾದುದು ಎಂದು ಹೇಳುವಂತೆ ಇಲ್ಲಿನ ಕಾಂಗ್ರೆಸ್ ಪಕ್ಷದವರು ಅಭಿಪ್ರಾಯ ಪಡುತ್ತಿರುವುದು ಸಂತೋಷಕರವಾದುದಾಗಿದೆ. ನನ್ನ ಸ್ನೇಹಿತರಾದ ಮಿ। ಮಲ್ಲಪ್ಪನವರು ಈ ಮಸೂದೆಯನ್ನು ವಿರೋಧಿಸುತ್ತ, ಕೌನ್ಸಿಲಿನ ಎರಡನೆಯ ಮೆಂಬರವರು ಈ ಮಸೂದೆಯ ಅವಶ್ಯಕತೆಯ ವಿಷಯದಲ್ಲಿ ಏನನ್ನೂ ಹೇಳಲಿಲ್ಲವೆಂದು ತಮ್ಮ ಭಾಷಣವನ್ನು ಪ್ರಾರಂಭಮಾಡಿದರು. ಆದರೆ ನನಗೆ ತಿಳಿದ ಮಟ್ಟಿಗೆ ಎರಡನೆಯ ಮೆಂಬರವರು ಅಪ್ಪಣೆ ಕೊಡಿಸಿದ ಕಾರಣಗಳಿಗಿಂತ ಹೆಚ್ಚಾಗಿ ಯಾರೂ ಹೇಳಲು ಸಾಧ್ಯವಿಲ್ಲವೆಂದು ಕಾಣುತ್ತದೆ. ಅದು ಹೇಗಾದರೂ ಇರಲಿ. ಮಿ। ಮಲ್ಲಪ್ಪನವರು ಮೊದಲು ಈ ಕಾನೂನನ್ನು ಸಂಪೂರ್ಣವಾಗಿ ವಿರೋಧಿಸುತ್ತೇವೆಂದೂ ಇದು ತೀರ ಅನಾವಶ್ಯಕವಾದ ಕಾನೂನೊಂದೂ ಅಭಿಪ್ರಾಯಪಟ್ಟು ಕೊನೆಗೆ ಇದರಲ್ಲಿ ಒಂದು ಅಂಶವನ್ನು ಬದಲಾಯಿಸಲು ಒಪ್ಪುವ ಪಕ್ಷದಲ್ಲಿ ನಾವು ಇದನ್ನು ಒಪ್ಪುತ್ತೇವೆಂದು ಹೇಳಿದರು. ಇದು ಬಹಳ ಶೋಚನೀಯವಾಗಿದೆ. ಸಾಮಾನ್ಯವಾಗಿ ರೇಷ್ಮೆಯ ಕೈಗಾರಿಕೆಯಾಗಲಿ, ಹೊಗೆ ಸೊಪ್ಪಿನಂಥ ಒಂದು ಬೆಳೆಯ ವ್ಯವಸಾಯವಾಗಲಿ ಅವುಗಳಿಗೆ ಗಿರಾ

ಕಿಯು ಎಷ್ಟು ಮಟ್ಟಿಗೆ ಇದೆ ಎಂಬುದನ್ನು ಅನುಸರಿಸಿರುತ್ತದೆ. ಅವುಗಳಿಗೆ ಸರಿಯಾದ ಬೆರೆ ಸಿಕ್ಕುವಂತೆ ಮಾಡಬೇಕಾದರೆ ಸರ್ಕಾರದವರು ಸಾಕಾದಷ್ಟು ಮಟ್ಟಿಗೆ ರಕ್ಷಣೆಯನ್ನಾಗಲಿ ಇತರ ಏರ್ಪಾಡನ್ನಾಗಲಿ ನಡೆಸಲೇ ಬೇಕಾಗುತ್ತದೆ. ಇಂಥ ವಿಷಯಗಳಲ್ಲಿ ಸರ್ಕಾರದವರು ಒಂದು ಶಿಸ್ತನ್ನು ವಿಧಾಯಕ ಮಾಡಲೇಬೇಕು.

ಕಾಂಗ್ರೆಸ್ ಪಾರ್ಟಿಯ ಸದಸ್ಯರು ಹೇಳುತ್ತಿರುವುದು ಒಂದು ಮಾತು; ಏನೆಂದರೆ ಒಂದು ಸಮಿತಿಯನ್ನು ಮಾಡಿ ಅದರಲ್ಲಿ ಖಾನಗಿ ಸದಸ್ಯರಿಗೆ ಹೆಚ್ಚು ಅಧಿಕಾರ ಕೊಡಿ ಎಂದು ಖಾನಗಿ ಜನರಿಗೆ ಹೆಚ್ಚು ಹೆಚ್ಚು ಅಧಿಕಾರ ಕೊಡಬೇಕೆಂಬುದನ್ನು ನಾನೂ ಒಪ್ಪುತ್ತೇನೆ. ಅದು ನ್ಯಾಯವಾದುದು. ಆದರೆ ಯಾವ ಯಾವ ವಿಷಯದಲ್ಲಿ ಹೆಚ್ಚು ಅಧಿಕಾರಗಳನ್ನು ಕೊಡಬೇಕೆಂಬುದನ್ನು ಯೋಚನೆ ಮಾಡಬೇಕು. ಇದು ಕೇವಲ ಪಾರಿಭಾಷಿಕ (Technical) ವಿಚಾರ. ಇದನ್ನು ವ್ಯವಸಾಯದ ಇಲಾಖೆಯವರು ಮತ್ತು ಇತರ ಮುಖ್ಯಾಧಿಕಾರಿಗಳು ನೋಡಿಕೊಳ್ಳಬಹುದೇ ಹೊರತು ಎಲ್ಲಕ್ಕೂ ಖಾನಗಿ ಜನರಿರಬೇಕೆಂಬ ಮಾತನ್ನು ಹೇಳುವುದು ಅಷ್ಟೊಂದು ನೂಕ್ತವಾಗಿ ಕಾಣುವುದಿಲ್ಲ. ಇದೊಂದೇ ಕಾರಣವಾಗಿಟ್ಟುಕೊಂಡು ಈ ಮಸೂದೆಯನ್ನು ವಿರೋಧಿಸುವುದು ನ್ಯಾಯವಲ್ಲ. ಯಾವಾಗ ಕಾಂಗ್ರೆಸ್ ಪಾರ್ಟಿಯವರು ಈ ಮಸೂದೆಯ ತತ್ತ್ವಗಳ ವಿಷಯದಲ್ಲಿ ಭಿನ್ನಾಭಿಪ್ರಾಯವಿಲ್ಲವೆಂದು ಒಪ್ಪಿಕೊಂಡರೋ ಆಗಲೇ ಇದರ ಪರವಾಗಿ ತಮ್ಮ ಅನುಮೋದನೆಯನ್ನು ಕೊಟ್ಟಂತೆಯೇ ಆಯಿತು. ಆದಕಾರಣ ಇದನ್ನು ಸಭೆಯೂರು ಒಪ್ಪಿಕೊಳ್ಳಬಹುದಾಗಿದೆ. ಮುಂದೆ ಇದು ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯಲ್ಲಿ ಬಂದ ಕಾಲದಲ್ಲಿ ಹೊಡೆದಾಡಿ ಏನೇನು ಬದಲಾವಣೆಗಳು ಬೇಕೋ ಮಾಡಬಹುದಾಗಿದೆ. ಆದುದರಿಂದ ಈಗ ಈ ಸಭೆಯ ಮುಂದಿರುವ ಕಾನೂನನ್ನು ಎಲ್ಲರೂ ಅನುಮೋದಿಸಬೇಕೆಂದು ಪ್ರಾರ್ಥಿಸುತ್ತೇನೆ.

ವಿ ಬಿ. ಆರ್. ಪುಟ್ಟನಂಜಪ್ಪನವರು.—ಈ ವಿಷಯದಲ್ಲಿ ಒಂದು ತಪ್ಪು ಅಭಿಪ್ರಾಯವುಂಟಾಗಿದೆ. ನಾವು ಇದನ್ನು ವಿರೋಧಿಸುತ್ತಿರುವುದು ಒಂದೇ ದೃಷ್ಟಿಯಿಂದ; ಏನೆಂದರೆ, ಜನರಿಗೆ ಇದರಿಂದ ಪಕ್ಷಪಾತವುಂಟಾಗಬಹುದು, ಅದನ್ನು ತಪ್ಪಿಸುವುದು ಅವಶ್ಯಕ ಎಂಬುದೇ ಹೊರತು ಬೇರೆಯಲ್ಲ. ಇದರಲ್ಲಿ ರಾಜಕೀಯ ಪಾರ್ಟಿಗಳ ಪ್ರಶ್ನೆಯೇನೂ ಇಲ್ಲ. ಇದನ್ನು ತಪ್ಪಾಗಿ ಅರ್ಥಮಾಡಿ ಇಲ್ಲದ ಊಹೆ ಮಾಡಿಕೊಂಡು ನಮ್ಮ ಸ್ನೇಹಿತರು ಮಾತನಾಡಬಾರದೆಂದು ನಾನು ಅವರನ್ನು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

Mr. Belur SREENIVASA IYENGAR.—This is one of the excellent measures in the interests of the agriculturists. I have myself personally undertaken this tobacco cultivation, and I can endorse what my friends said regarding 8 pies and 9 pies. Some control is necessary and the suggestion, if I may say so, of having a committee is excellent. You will please observe as suggested by other speakers subsection (*d*) of Section 18 clearly says that Government may make rules for the establishing of advisory committees for the purpose of fixing the price or prices at which tobacco leaf shall be purchased by a curer. When the legislature itself contemplates it, there will be nothing wrong if the Member in charge of the Bill would extend the scope of this rule so far as this point is concerned. This is the first time when for the large agricultural population, a legislation is resorted to with a view to bettering his condition. Let us agree, as my friend Mr. Mallappa put it, that the main principles are excellent.

I am also a bit anxious for the committee because, I have brought it to the notice of the Manager of the Tobacco Co., when I was confronted with the raiyats of Gunjur who were paid only at the rate of 4½ pies to 8 pies for green leaf. We have told our voters that we would better the condition of the agriculturists. We apprehend the operation of only one provision in this

Bill and there should be no room whatever for any suspicion. The Government may have a committee under the enabling provision in (d).

Sir, please permit me to take this opportunity of mentioning the very earnest way in which tde Department is paying real ottention to this line of activity. Though I differ from the Director of Agriculture on his article in the Agricultural Magazine on this subject, I must admit that under this scheme the raiyat has bee getting of larger crop than the usual crop, and it is the fittest measure wanted now.

Mr. N. MADHAVA RAU.—Sir, to a person like myself who is not very well acquainted with the inner working of political parties, it is somewhat difficult to understand what exactly is the attitude of the mambers to the left. They seem to speak in very different voices. Mr. D. S. Mallappa began by saying that he saw no necessity for a measure of this kind and then he made us understand that the was not opposed to the general principles of the bill finally he suggested its acceptance with a rider which I think was irrelevant. The other speakers spoke emphasizing one or other of the three shades of opinion appearing in the first speaker's speech. The result is that I am at a loss to understand what exactly the members of this party really want. As to the other speakers, they have left us in no doubt as to thanr views. They want that this measure should be passed. They recognise that it is in the best interests of the agriculturists, that it is also necessary in order to prevent the indiscriminate development of an industry which required careful watching. As to the general principles of the Bill, I take it that the House is generally in favour and that even the members on the left have nothing to say against the measure on its merits. But one or two detailed suggestions have been made. Mr. Subbannachar suggested that no licence should be refused if a party was willing to comply with the required conditions. I am afraid that this is not possible. An applicant for a licence may promise all sorts of things, but he may not be a fit person to receive a licence. There may be cases in whidh we have to dissuade people from doing things which though well meant, are beyond their means or which would involve a loss to themselves and to other raiyats. Supposing again, in the same area there were a number of competing nursery men asking for permission to grow seedlings. It would lead to overproduction if some selection was not made.

The other suggestion that has been made, and the one which has been much emphasized, was that a committee should be appointed in order to issue licences. The reason urged for the

suggestion seems to me extraordinarily strange. The speakers who made it said that they were not sure that the Act would be administered in an impartial manner and therefore they suggested that a committee composed of a majority of non-officials might be appointed. Sir, I for one, do not believe in this sort of non-official committees for purely executive purposes. Committees may be useful as deliberative bodies but for actually doing the work which an individual officer or even a subordinate officer has got to do, they would prove to be a cumbraus and unsuitable agency. I agree with the remark made by Mr. Linge Gowda that the issue of these licences must be left to the officers and that there is no need for and no object served by constituting committees for such a purpose. On the other hand, it is quite conceivable that if the duty of issuing licences were to be left to some sort of committee as proposed, there would be, instead of impartial disposal of applications, a good deal of log-rolling . Mr.Imam asked how applications for licences are to be given in outlying portions of the State and it was suggested that there might be district committees, if not taluk committees. To bring into existence such a net work of committees for dealing with a matter which is essentially of an executive character would be to make business altogether impossible. As to the argument of some of the members that they did not trust a Government agency to be able to do this sort of thing properly, it might be well to remind them that even in their private bills they have trusted and are trusting and will continue to trust such agencies to exercise very much greater powers than the issue of comparatively unimportant licences provided for in this bill. For these reasons, I am afraid Government must decline to accept the suggestion for appointing a non-official committee or committees for this purpose. As regards the other points, discussion has made it clear that the principles of the Bill are fully endorsel by this House, and that any details requiring further examination might have to be gone into by the Select Committee.

Mr. Belur SREENIVASA IYENGAR.—What about the advisory committee I have suggested ?

Mr. N. MADHAVA RAU.—I have already stated that the advisory committee would be constituted under the rules and I have also indicated that its constitution would be similar to that of the sugarcane advisory committee.

I request that the Bill be read in Council.

Mr. PRESIDENT.—The question is :

"That the Bill published under Rule 8 of the Rules of Business be read in Council."

The motion was adopted, all excepting 11 *voting for it.*

(b) Motion that the Bill be referred to a Select Committee.

Mr. N. MADHAVA RAU.—Sir, I beg that the Bill be referred to a Select Committee consisting of the following members :—

Mr. K. V. Anantaraman,
" T. G. Rama Iyer.
" M. Venkatanaranappa,
" M. S. Ramachandra Rao.
" P. Subbarama Chetty,
" K. T. Satyanarayana Setty.
" M. C. Linge Gowda and
" J. Mahomed Imam.

Mr. M. VENKATANARANAPPA.—Sir, I beg to second the motion.

Mr. PRESIDENT.—The question is :

"That the Bill be referred to a Select Committee composed of the gentlemen named by the hon. Mover."

The motion was adopted.

GENERAL DISCUSSIONS ON THE BUDGET—(*contd*).

Mr. Belur SREENIVASA IYENGAR.—Sir, it may be there are some who have not listened to my budget speeches. The Dewan and the Members of Council have heard me from time to time and it is well known so far as I am concerned that my policy has been consistent. I am prepared to say today that year after year when I have been submitting for the kind consideration of the Members of Government that as long as you mix the normal revenue with unascertained sums and also with income from government industries and aided industries and income from your investments on business and so forth, you cannot have a stable and balanced budget. I have been reading carefully the autobiography of Benito Mussolini of Italy. Immediately he came to power, he found lot of debts, in which the country was involved, and there was a large deficit in the budget. He balanced the budget but he could not meet certain debts due to France and England. What happened was that the people themselves came forward voluntarily and subscribed to meet the loans.

Now, how is it relevent will be the first question. What I am submitting is that there are certain inherent defects in the procedure adopted in presenting the budget. It was ably pointed out by my esteemed friend Mr. D. V. Gundappa. His contention was, and that contention is correct, that from the stand-point of soundest democratic countries, the Financial Secretary must present the Budget to the Legislature. The reply given was "Here is the budget presented. There is the Dewan's Speech about it in the Assembly. There is the Explanatory Memorandum. In the face of all these, no difficulty need be felt by the members of the House in understanding the Budget, and there is no necessity at all for a separate speech." But let us face facts to-day.

Confidential.

AE 140-37-1 3517.

THE MYSORE TOBACCO COMPANY, LIMITED.

TELE { PHONE: NO. 362
GRAMS: "MYSTOBACCO"

DISTRICT BOARD BUILDINGS,
KEMPEGOWDA ROAD,
BANGALORE CITY.

Immediate

Ref: No. 1/38

Dated 31st December 1937.

3/1/38

The Secretary to Govt.,
Development Department,
Bangalore.

Noted in the Ad. Section.

Sir,

In continuation of my D.O. letter No.3655 dated 4th Nov.'37, I have the honour to state that in view of the large income earned by the growers of tobacco in Goribidnur Taluk, it is apprehended that a large number of Barns for the flue curing of tobacco will come up by private enterprise to compete with the Company's Barns. The Company is investing very heavy amounts in the construction of Barns, and control of the Company in the growing, curing and marketing of tobacco is necessary in the State for some years in the larger interests and reputation of Mysore Tobacco.

Tobacco is a crop subject to gradual deterioration of variety and to numerous insect pests like borer. Even if the Company's crops are kept free from borer similar crops grown under uncontrolled conditions will propagate the spread of the pest to the Company's crops and what has led to the ruin of coffee cultivation in Belur and Manjarabad Taluks is likely to be repeated. There was borer infestation of tobacco crops this year but it was completely controlled by the Company with the help of the Agricultural Department. Tobacco importation, manufacture and sale are a Government monopoly in France Spain, Italy and certain other European countries. All that I am suggesting is mere State-Control by licence and not monopoly and this only in respect of a variety newly introduced by the Company.

I request that Government may be pleased to take necessary legislative action to control the construction of private Barns by the grant of licences to be issued rarely. I believe similar protection has been given to the Mysore Sugar Company. I fear that if a few individuals are permitted to construct private Barns and compete with the Company, the interests of the Company may suffer, and also the larger interests of the cultivation of barn-cured Mysore Tobacco.

I request you to kindly place the matter before Government for favc of early orders.

I have the honour to be,
Sir,
Your most obedient servant,

CHAIRMAN

to the Board of Directors.

2

Appendix F G—1]

SUBJECT ..... Cessation of the cultivation of tobacco leaves .....

Section A&B

File No. 160-37

Serial No. 2

No. D 4785

Diary No. of letter replied to.....

To

The Chairman, The Mysore Tobacco Co. Ltd.

Bangalore

Sir,—I am directed to request you to be so good as to forward a copy of your letter No. 3655 dt 4/11/37 referred to in your letter No. 1/38 dt 3/1/38, on the above subject as the same does not seem to have been recd in this office.

I have etc.

168 7-1-38

for Dy Secy

Hlo.

General and Revenue Secretariat

( )

the *193*

Date of issue 10-1-38

Signed by M. K. Srinivasan

List of enclosures.....

Copied by [illegible] 9/1

Examined by.....

Ref Ex 15 6

Copy of D.O. letter No.3655 dated 4th Nov.'37, from T.G. Rama Iyer, Esq., B.A., to M. Venkatanaranappa, Esq., B.A., Secretary to Govt., Development Dept. Bangalore.

"In view of the large income earned by the growers of tobacco in Goribidnur Taluk, it is apprehended that a large number of Barns for the flue curing of tobacco will come up by private enterprise to compete with the Company's Barns. As the Company is investing very heavy amounts in the construction of Barns, and as the control of the Company in the growing, curing and marketing of tobacco is necessary in the State for some years in the larger interests and reputation of Mysore Tobacco, I request that Government may be pleased to take necessary legislative action to control the construction of private Barns by the grant of licenses to be rarely issued. I believe similar protection has been given to the Mysore Sugar Company. I fear that if a few individuals are permitted to construct private Barns and compete with the Company, the interests of the Company may suffer, and also the larger interests of the reputation of Mysore Tobacco.

"I request you to kindly place the matter before Government for favour of early orders."

"True Copy"

Ramaiah

Appendix F G—1]

SUBJECT .....

.....

.....

Section A76

File No. 160-37

Serial No. 4

No. D 6011

Diary No. of letter replied to.....

To

The chairman, The mysore Tobacco co., Ltd.

General and Revenue Secretariat

( )

the 193 .

Dear Sir,

With refce to correspondence ending with ypr letter no B.152 d 11/1/38 regarding control over the construction of private barns for curing tobacco, I am directed to state that ~~it is not clear from your letter if it is the fear of~~ Competition or the ~~fear of~~ non control of ~~other pests that will not be controlled by the independent~~ ~~that is feared.~~ ~~reports. If it is the first there~~ ~~to be no room for it~~ as it is learnt from newspaper reports that there is still a large unsatisfied demand for

Date of issue 16-2-38

Signed by Mr K. Srinivasan

List of enclosures.....

Copied by .....

Examined by.....

empire from Virginian & the improved varieties of tobacco leaf Govt see no reason why they should discourage private competition if it does come in inspite of all the facilities which the Mysore Tobacco Company has enjoyed & is enjoying. Such Monopoly was never contemplated either by Govt or by the framers.

Regarding the control of the diseases to which the tobacco crop is susceptible, the question of applying the Destructive Insects & pests Act as in the case of coffee is separately under consideration. In the circumstances Govt consider that there is no need for immediate action on your proposals.

may be examined and a report submitted to Govt for consideration.

Yours faithfully

Sd/-

Secy

11/21

11/2/38.

We suggest in your letter under reply that we may wait for a few months more for private bodies coming up.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 16th February 1938.

No. D 6011/ A1 E

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Development Department.

To

The Chairman,
The Mysore Tobacco Company., Ltd.,
B A N G A L O R E.

Dear Sir,

With reference to correspondence ending with your letter No.B. 152, dated 11th January 1938 regarding control over the construction of private barns for curing tobacco, I am directed to state that ~~from your letter, non-control of borer and other pests is feared~~ it is learnt from newspaper reports that there is still a large unsatisfied demand for empire grown virginian and other improved varieties of tobacco leaf. Government see no reason why they should discourage private competition if it does come in inspite of all the facilities which the Mysore Tobacco Company has enjoyed and is enjoying. Such monopoly was never contemplated either by Government or by the promoters.

Regarding the control of the diseases to which the tobacco crop is susceptible, the question of applying the Destructive Insects and Pests Act as in the case of coffee may be examined and a report submitted to Government for consideration.

~~In the circumstances~~ Government consider that in any case there is no need for immediate action on the suggestion in your letter and we may wait and see how far private barns will spring up.

Yours faithfully,

16/2

for Secretary to Government,
Development Department.

s.v.k.2

A+E 140-37-5

THE MYSORE TOBACCO COMPANY, LIMITED.

TELE { PHONE: NO.2162
GRAMS: "MYSTOBACCO"

DISTRICT BOARD BUILDINGS,
KEMPEGOWDA ROAD,
BANGALORE CITY.

Ref: No. 791/Gen./

Dated 3rd March 1938.

Dear Mr. Venkatanaranappa,

Referring to the last para of your letter No.D.6011/A&E 140-37-4 dated 16th Feb.'38, deferring consideration of my proposals to control the construction of tobacco flue curing barns by the grant of licenses, I am enclosing herein for kind perusal copy of a report from the Assistant Tobacco Supervisor, Goribidnur, regarding arrangements made by certain persons to start unhealthy competition with the Mysore Tobacco Co.,Ltd., by starting tobacco barns in close proximity to our barns. I may be permitted to respectfully urge for the kind consideration of Government that while the construction of private barns by bona fide growers to cure their own produce may not be discouraged, the construction of barns by non-growers in close proximity to our barns for unhealthy competition may be discouraged in the larger interests of tobacco cultivation in the State, and for the safety of the large investments of capital (inclusive of Government funds). The construction of barns by capitalist non-growers within a reasonable radius of the Compa barns may kindly be controlled. Goribidnur Taluk is the best area for Cigarette tobacco in the whole of India. The Mysore Tobacco Co.,Ltd., will have invested nearly 2 lakhs of rupees in that area by the end of this year, and unhealthy competition from foreigners and private capitali is apprehended.

Yours sincerely,

M. Venkatanaranappa, Esq., B.A.,
Secretary to Government,
Development Department,
Bangalore.

Copy of letter No.G.B.D. A/35 dated 19th Feb.'38, from the Assistant Tobacco Supervisor, Goribidnur, -- addressed to the Mysore Tobacco Co., Ltd., Bangalore.

"There is a move on the part of some Guntur people to errect 6 barns in the old sugar factory site of this town. They are moving about in the villages promising ryots to give advances and extravagant rates for green leaf. A field for raising a nursery is already selected and the ryots are promised to get the seedlings free of cost. I believe they are conducting unhealthy competition against our Company. The barns will be situated in the estate of Mr. Manikyavelu Mudaliar, Bangalore."

"True Copy"

Manikyavelu

10

THE MYSORE TOBACCO COMPANY, LIMITED.

TELE { PHONE : NO. 362
GRAMS : " MYSTOBACCO "

DISTRICT BOARD BUILDINGS,
KEMPEGOWDA ROAD,
BANGALORE CITY.

Ref: No. 1040/Ge. 2

Dated 12th March 1938.

14.

The Secretary to Govt.,
Development Department,
Genl. & Revenue Secretariat,
Bangalore.

Dear Sir,

In continuation of this Office D.O. letter No.791 dated 3/4th March '38, I am forwarding herewith a copy of the ryots' agreement issued by a private capitalist at Closepet, where we have already established, and at Hoskote Centre, where we have now started our -- operations. It is a verbatim copy of our own agreement, and it is very risky to the interests of the Company that such unhealthy competition by capitalists should be allowed to go on. I am also enclosing for the perusal of the Government copy of a report from one of the Company's officers reporting rival canvassing of our growers.

The Mysore Tobacco Co.,Ltd., has taken great risks in starting a Curing Company unlike the redrying and exporting Companies at Guntur. In the initial stages the Company has to train growers in cultivation, and train hands in curing and work on low profits in the initial stages with a view to establish tobacco cultivation. But, if there should be unhealthy competition at the Company's Centres the interests and investments of the Company are greatly endangered. I may be permitted to state that all that is necessary to safeguard the Company's interests is zoning - certain zones of 10 miles radius being allotted to the Company within which only growers may be licensed to put up barns, in addition to the Company. Capitalists may be allowed to exploit zones other than those of the Company. Otherwise, what is feared may happen is that others start unhealthy competition with the Company in their Centres, and the only organised effort made by this Company so far may get stifled.

I request the favour of kind consideration of Government to these important aspects of the matter.

Yours faithfully,

CHAIRMAN

to the Board of Directors.

DKS.

Enc.

Copy of letter No.CL.20/1938 dated 11-3-38 from the Assistant Tobacco Supervisor, Closepet, addressed to the Tobacco Superintendent, The Mysore Tobacco Co., Ltd., Bangalore City.

"I learn from local people of Closepet that one merchant from Bangalore is going to construct 20 barns in and around Closepet by name Rashid Khan. He has given advance to the brick Contractors here. Yesterday, he had gone over here and is trying to canvass our ryots, and further, I was told that many ryots are going to plant tobacco for him. Now, I also feel bit difficult to canvass, as many of our ryots are going to plant for him."

"True Copy"

12

ಅ ಗ್ರಿ ಮೆ ಂ ಟು .

ಹದವಾದ ಹೊಗೆಸೊಪ್ಪಿನ ಎಲೆಯನ್ನು ಸಪ್ಲೈ ಮಾಡಲು ಯಂ. ಅಬ್ದುಲ್‌ರಷೀದ್ ಅವರಿಗೆ ರೈತನು ಬರೆದು ಕೊಡುವ ಒಪ್ಪಿಗೆ ಖರಾರು.

ಸ 193 ನೇ ಇಸ್ವಿ.....ಮಾಹೆ .....ನೇ ತಾರೀಖಿನಲ್ಲಿ.....ತಾಲ್ಲೂಕು .....ಗ್ರಾಮದಲ್ಲಿ ವಾಸವಾಗಿರುವ.....ಜಾತಿಯ.....ಮಗ ....ನಿಗೂ ಯಂ. ಅಬ್ದುಲ್‌ರಷೀದ್ ಇವರಿಗೂ ನಡೆದ ಅಗ್ರಿಮೆಂಟು ಷರತ್ತುಗಳೇನೆಂದರೆ:—

1. ಯಂ. ಅಬ್ದುಲ್‌ರಷೀದ್‌ರವರಿಂದ ಬೇಸಾಯಗಾರ (ರೈತ) ನಿಗೆ 193 — 193 ನೇ ಸಾಲಿನಲ್ಲಿ ತನ್ನ ಬಾಬತು..... .....ಗ್ರಾಮದ ಸರ್ವೆ.....ನೇ ನಂಬರು.....ಎಕರೆ ಜಮೀನಿನಲ್ಲಿ ಹೊಗೆಸೊಪ್ಪನ್ನು ಬೆಳೆಯಿಸಲು ಪ್ರತಿಯೊಂದು ಸಾವಿರಕ್ಕೆ 1—8—0 ಒಂದು ರೂಪಾಯಿ ಎಂಟಾಣೆಯಂತೆ ಹೊಗೆಸೊಪ್ಪಿನ ನಾರನ್ನು ಕೊಡಲ್ಪಡುತ್ತೆ.

2. ಬೇಸಾಯಗಾರನು ನಾರನ್ನು ಸಾಗಿಸಿಕೊಳ್ಳುವ ಮತ್ತು ನಾಟುವ, ನೀರುಹಾಕುವ ಖಸೀ ಮಾಡುವ ಹದವಾದ ಹೊಗೆ ಸೊಪ್ಪನ್ನು..... .....ಯಲ್ಲಿರುವ ಬ್ಯಾರ್ಜಾಗಕ್ಕೆ ಸಾಗಿಸುವ, ಕಳೆ ತೆಗೆಯುವ ಕ್ರಮವಾದ ರೀತಿ ಬೆಳೆಸುವ, ವಗೈರೆ ವಿಶಿಷ್ಟ ಖರ್ಚನ್ನೂ ತಾನೇ ವಹಿಸತಕ್ಕದ್ದು.

3. ಬೇಸಾಯಗಾರನು ಯಂ. ಅಬ್ದುಲ್‌ರಷೀದ್ ಅಥವಾ ಅವರ ಪ್ರತಿನಿಧಿಗೆ ಸಮರ್ಪಕವಾಗುವಂತೆ ಜಮೀನನ್ನು ಕ್ರಮವಾದ ರೀತಿ ಹದಗೊಳಿಸಿ ಗೊಬ್ಬರ ವಗೈರೆ ಹಾಕಿ ಹೊಗೆಸೊಪ್ಪಿನ ನಾರನ್ನು ಬೆಳೆಯಿಸಿ, ಕುಂಬೆ ಹೊಡೆಯುವುದು ನುತ್ತು ಕಳೆ ಕೀಳುವುದು ಸಕಾಲದಲ್ಲಿ ಮಾಡತಕ್ಕದ್ದಾಗಿರುತ್ತೆ.

4. ಯಂ. ಅಬ್ದುಲ್‌ರಷೀದ್ ಅಥವಾ ಅವರ ಪ್ರತಿನಿಧಿಗೆ ಸಮರ್ಪಕವಾಗುವಂತೆ ಬೇಸಾಯ ಕೆಲಸವನ್ನು ಸಕಾಲದಲ್ಲಿ ಮಾಡದಿದ್ದಲ್ಲಿ ಆ ಕೆಲಸವನ್ನು ಅವರೇ ಮಾಡಿಸಿ ಆ ಬಾಬತು ಖರ್ಚುಗಳನ್ನು ರೈತನಿಂದ ವಸೂಲ್ ಮಾಡಲ್ಪಡುತ್ತೆ.

5. ಯಂ. ಅಬ್ದುಲ್‌ರಷೀದ್‌ರವರು ರೈತನು ಬೆಳೆದಿರುವ ಹೊಗೆಯಸೊಪ್ಪನ್ನು ಚುನಾಯಿಸಿಕೊಳ್ಳುವರು. ಆ ಬಗೆಯ ಸೊಪ್ಪಿಗೆ ಎಲೆಗಳ ರಖಂ ಪ್ರಕಾರ ಪೌಂಡು ಒಂದಕ್ಕೆ 0—0—8 ಕಾಸಿನವರೆಗೂ ಖರೀದಿ ನಿಷ್ಕರ್ಷಿಸಲ್ಪಡುತ್ತೆ.

6. ರೈತನು ತನ್ನ ಬಾಬತು ಹೊಗೆಸೊಪ್ಪಿನ ಎಲೆಯನ್ನು ಯಂ. ಅಬ್ದುಲ್‌ರಷೀದ್‌ರವರ ಅಪ್ಪಣೆಯಿಲ್ಲದೆ ಪರಭಾರೆ ಮಾಡಕೂಡದು. ಹಾಗೆ ಮಾಡಿದಲ್ಲಿ ನಷ್ಟಕ್ಕೆ ಗುರಿಯಾಗುವನು.

7. ಯಂ. ಅಬ್ದುಲ್‌ರಷೀದ್‌ರವರಿಂದ ಸಪ್ಲೈ ಆದ ನಾರನ್ನು ರೈತನು ಸಮಯಾ ನೋಡಿಕೊಳ್ಳದೆ ತನ್ನ ಅಜಾಗ್ರತೆಯಿಂದ ನಷ್ಟಮಾಡಿಕೊಂಡಲ್ಲಿ ಸಪ್ಲೈಮಾಡಿದ ನಾರಿನ ಮೊಬಲಗನ್ನು ರೈತನು ಕೊಟ್ಟೇ ತೀರಬೇಕು.

8. ರೈತನು ಯಂ. ಅಬ್ದುಲ್‌ರಷೀದ್‌ರವರಿಂದ ಸಪ್ಲೈ ಆದ ಹೊಗೆಸೊಪ್ಪಿನ ನಾರನ್ನು ಮೇಲ್ಕಂಡ ಸರ್ವೆ ನಂಬರು ಜಮೀನಿನಲ್ಲಿ ಯಾವುದಾದರೊಂದು ಕಾರಣದಿಂದ ಹಾಕದೆ ತಪ್ಪಿ ತನ್ನ ಬಾಬತ್ತು ಬೇರೆ ನಂಬರು ಜಮೀನಿನಲ್ಲಿ ಹಾಕಿ ಬೆಳೆಯಿಸಿದಾಗ್ಯೂ ಸಹ ಆ ಸೊಪ್ಪನ್ನೂ ಯಂ. ಅಬ್ದುಲ್‌ರಷೀದ್‌ರವರಿಗೆ ಕೊಡಬೇಕಾಗಿರುತ್ತೆ. ಮೇಲ್ಕಂಡ ಷರತ್ತುಗಳೆಲ್ಲಾ ಇದಕ್ಕೂ ಅನ್ವಯಿಸಿರುತ್ತೆ.

ಈ ಅಗ್ರಿಮೆಂಟು ಷರತ್ತುಗಳಿಗೆ ಈ ಕೆಳಗೆ ಸಾಕ್ಷಿ ಹಾಕಿರುವವರ ರೂಬುರೂಬು ಒಪ್ಪಿ ರುಜು ಮಾಡಿರುತ್ತೇನೆ.

.....ರುಜು.

(ಬೇಸಾಯಗಾರ)

ಸಾಕ್ಷಿಗಳು.

1.

2.

ಈ ಷರತ್ತುಗಳಿಗೆ ಯಂ. ಅಬ್ದುಲ್‌ರಷೀದ್‌ರವರೂ ಒಪ್ಪಿ ರುಜುಮಾಡಿರುತ್ತಾರೆ.

Cheque, Deccan Banking Corporation Limited
Narasimharaja Road
Bangalore.

Rajagopal Photo-Zinco & Printing Works, Fort, Bangalore City.

GENERAL AND REVENUE SECRETARIAT, 13

D. O. No.
D6930/A&E 140-37-6

Dated, Bangalore, 28th January 1938.
29

Dear Sir,

With reference to correspondence ending with your letter No.791 dated 4th March 1938, regarding control of construction of private tobacco curing barns, I am desired to request you to kindly make it convenient to discuss the question with the Second Member of Council in his chambers on any working day during office hours.

Yours sincerely,

28/3

T.G.Rama Iyer, Esq., B.A.,
Chairman, The Mysore Tobacco Co., Ltd.,
Bangalore.

19

Appendix F G—1]

SUBJECT .....

.....

.....

Section A4&
File No. 140-37
Serial No. 6

No. 56930

Diary No. of letter replied to.....

To

Dear Sir,

General and Revenue Secretariat

( )

the *193* .

Date of issue 29.3.38

Signed by .....

With reference to correspondence ending with your letter No. 791 dt 4/3/38 regarding Control of construction of private tobacco curing barns. I am desired to request you to ~~be so kindly as to~~ make it convenient to discuss the question with the Secretary in his Chambers or Member of Council for any working day during office hours. ——— Y. S.

List of enclosures.....

Copied by .....

Examined by.....

To T. G. Ramadyer Esq. B. A.,
Chairman,
The Mysore Tobacco Co.

Agr 140-37-7 15

THE MYSORE TOBACCO COMPANY, LIMITED.

TELE { PHONE : NO. 362
GRAMS : "MYSTOBACCO"

DISTRICT BOARD BUILDINGS,
KEMPEGOWDA ROAD,
BANGALORE CITY.

Ref: No. 1447.

Dated 29th March 1938.
30.

To

The Secretary to Govt.,
Development Department,
Genl. & Rev. Secretariat,
Bangalore.

Sir,

Further to my letter No. [illegible] dated 12/14th March '38, in the matter of controlling the construction of tobacco-curing barns by grant of licenses, and preventing unhealthy competition by private Capitalists by 'zoning' our areas, I write to state that the Board of Directors at their last Meeting held on 21st March '38, resolved to wait on a deputation on Government to discuss the matter, and to represent to Government the necessity of taking such measures as would be possible to safeguard the interests of the Company.

I request you to kindly let me know when it would be convenient for the Dewan and the second Member of Council to receive the deputation.

I have the honour to be,
Sir,
Your most obedient servant,

Chairman
to the Board of Directors.

DKS.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. D 8010/ 192 Mic-37-8 Dated, Bangalore, 11th April 1938

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Development Department.

To

The Chairman,
The Mysore Tobacco Company Ltd,

~~Sir~~,

Dear Sir,

With reference to correspondence ending with your letter No.1447 dated 30th March 1938 in the matter of controlling the construction of tobacco curing barns by private capitalists, I am directed to invite reference to this office letter No.D.6930 dated 29th March 1938 requesting you to discuss the question with the Second Member of Council and to state that Government consider that a deputation as suggested by you, is not necessary.

Yours faithfully,

For Secretary to Government,
Development Department.

mk.

17

Appendix F G—1]

SUBJECT .....

.....

.....

Section A48

File No. 140-37

Serial No. 8

Diary No. of letter replied to.....

No. D 8010

To The Chairman,
The Mysore Tobacco Co
Ltd

General and Revenue Secretariat

( )

the *193* .

Date of issue..... 12-4-38

Signed by ..... for KS

Dear Sir, With refee to Corres-
pondence ending with your
letter No. 1447 d 30/3/38 in the
matter of controlling the construc
ion of tobacco curing barns
by private capitalists, I am
directed to invite your refee
to this office letter No D.6930 d
29/3/38 requesting you to discuss
the question with the II Member of
Council & to state that Govt
consider that a deputation
as suggested by you, is not
necessary.

Yours faithfully,

KS 7/4

for Secy

7/4/38.

List of enclosures.....

Copied by 7/4/38

Examined by.....

18

THE MYSORE TOBACCO COMPANY, LIMITED.

TELE { PHONE: NO. 362
GRAMS: "MYSTOBACCO"

DISTRICT BOARD BUILDINGS,
KEMPEGOWDA ROAD,
BANGALORE CITY.

Ref: No. 1823/Ec. 1.

Dated 11th April 1938.
12.

5839

GEN. & REVENUE DEPARTMENT. DEVELOPMENT BRANCH.

To

The Secretary to Govt.,
Development Department,
Bangalore.

S i r,

In continuation of this Office No.1447 dated 29/30th March'38, regarding the control over the construction of tobacco curing barns in the State, I have the honour to forward herewith an extract ~~copy~~ from of the letter received from our Assistant Tobacco Supervisor, Goribidnur, for kind information of Government.

I have the honour to be,
Sir,
Your most obedient servant,

CHAIRMAN
to the Board of Directors.

DKS.

Enc. 1

Send with the main file. This will be sent to the Members office to place it before the Member when the Chairman comes up for the discussion of the subject.

16/20/4

20/4/38 (Member's Office)

20/4

19

E--tract Copy of letter No.GBD.B/179 dated 8-4-38, from the Asst. Tobacco Supervisor, Goribidnur, addressed to the Secretary, Mysore Tobacco Co., Ltd., Bangalore City.

"A new Company has been started at the old Sugar Factory site of this town situated about a mile from our barn site. The estate belongs to Messrs. V. Manicavelu Mudaliar & Sons of Bangalore. They are arranging to build 12 barns and cultivate 200 acres and have started a nursery of their own.

"A few Guntur people have come down here and are going about the surrounding villages namely, Kalludi and Madanahally etc., and asking the ryots not to -- execute agreements in favour of our Company. Moreover, they have promised to give advances, issue seedlings free of cost and purchase green leaf at an average rate of 8 pies per lb. Ryots who have executed bonds in our favour are showing signs of wavering and may be enticed to go back on the agreements they have executed.

"I believe, Sir, that those people are carrying on an unhealthy competition against our Company. I request you to take necessary action."

"True Copy"

Manuals

10

Appendix F G—1]

SUBJECT .....

.....

.....

Section 48

File No. 140-37

Serial No. 9

No. W 8333

Diary No. of letter replied to.....

To The Dir. of Agri. and
Chairman, The Mysore
Tobacco Co. Ltd.

General and Revenue Secretariat

( )

the *193*

Sir,

With refce to correspond-
ence ending with your letter
No. 1823 d 12/4/38 regarding
the control over the construction
of tobacco curing barns in
the State, I am directed to state
therefore
that it is considered desirable
here
to introduce a system of
licensing for the erection of
barns for flue curing, which
would also involve the fixation
by Govt of minimum prices to
be paid for green leaves and
to request you to be so good as
to prepare a draft bill & a
statement of general princi-
ples for being to be placed before the next
Session of the R.A.

I have etc

IC.

for Dewan

27/4/38

Date of issue 28.4.38

Signed by .....

That the question of Controlling the marketing of flue cured cigarette tobacco is receiving Govt's attention & Govt. India, and 'Regulated Markets' are also likely to be established.

List of enclosures.....

Copied by .....

Covering the above point

Examined by.....

WD 0521—GPB—30,000—12-3-37

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYS

Urgent.

General and Revenue Secretariat

Dated, Bangalore, 28-6-38.

No. W8333/A&E140-37

From

The Secretary to the Government of His Highness the Maharajd of Mysore,
Development Department.

To

The Director of Agriculture and Chairman,

The Mysore Tobacco Co., Ltd.,

Sir,

With reference to correspondence ending with your letter No. 1823 dated 12th April 1938 regarding the control over the construction of tobacco curing barns in the State, I am directed to state that the question of controlling the marketing of flue cured cigarette tobacco is receiving consideration in British India, and regulated markets are also likely to be established. It is therefore considered desirable to introduce here a system of licensing for the erection of barns for flue curing, which would also involve the fixation by Government of minimum prices to be paid for green leaves and to request you to be so good as to prepare a draft bill and a statement of general principles covering the above points for being placed before the next session of the Representative Assembly.

I have the honour to be,

Sir,

Your most obedient servant,

for Secretary to Government,
Development Department.

ACH.2.

THE MYSORE CIGARETTE-TOBACCO SAFEGUARDING BILL.

A Bill to provide for the development of Cigarette tobacco cultivation and for safeguarding the interests of Cigarette-tobacco cultivators in Mysore.

Whereas it is expedient for the fostering and development of Cigarette-tobacco cultivation in Mysore to take - power for controlling the seed supply, and the curing and marketing of Cigarette-tobacco in the State and for safeguarding the interests of tobacco cultivators; It is hereby enacted as follows:-

1. This Act shall be called the Mysore Cigarette-Tobacco Safeguarding Act.

2. (1) It extends to the whole of Mysore.

(2) It shall come into operation from such date as the Government may by notification in the Official - Gazette direct.

3. In this Act, unless there is anything repugnant in the subject or context,-

(a) 'Cigarette Tobacco' shall include the following varieties, viz., Harrison Special, Cash, Adcock, Burley and all other flue-cured varieties of tobacco used for the manufacture of Cigarettes;

(b) 'Barn' means any structure in which raw tobacco leaf is cured by heat radiating from flue-pipes or tubes connected with an oven or a plant - generating steam or electricity;

(c) 'Seed-bed' means earthen beds in which tobacco seed is sown and seedlings raised;

(d) 'Licence' means a licence granted under this Regulation and 'Licensed' and 'Licensee' shall have corresponding meanings.

(e) 'Insect pests' shall include

(f) 'Plant diseases' shall include

(g) 'Prescribed' means prescribed by rules made under this Regulation.

4(1) It shall be lawful for the Government to grant to any person or persons on such conditions and for such periods as may seem fit licenses for raising seed-beds for supply of seedlings to growers and for the construction of barns for curing Cigarette Tobacco.

(i) Such conditions in regard to seed-beds may specify the source from which the seed may be obtained, the places where seed-beds are to be located, the preventive measures to be taken against insect pests and plant diseases and other matters relating to the proper preparation of seedlings;

(ii) Such conditions in regard to the construction of barns by growers to cure tobacco grown by them may specify the localities and places where they are to be constructed, the kind of material to be used, the dimensions of the barn, the oven, and flue-pipes and chimneys;

(iii) Where such barns are proposed to be constructed by

curers

curers for curing tobacco grown by others, such conditions may also prescribe and limit the zones within which they may take up the curing of tobacco grown by cultivators and the distance to be observed from the nearest existing barn and also the extent of tobacco area corresponding to a barn, the minimum prices to be paid for leaves under agreements to be entered into by them in writing with the growers before transplantation of seedlings.

5. The Government shall have the power to frame rules for fixing the price or prices at which the raw tobacco leaves shall be purchased by the curers.

6. The decision of Government as to whether a license may or may not be granted shall be final.

7. The Government may by special or general order require the applicant for a license or a licensee or any person who being a partner, proprietor, manager or an officer of a Company or Factory is able to give information, to furnish such information within such time as they may fix;

8. For the purpose of this Regulation and the rules framed thereunder the Director of Agriculture or any officers authorised by him shall have the right of access to any land or premises wherein tobacco seed-beds, or curing barns are located and into any land where Cigarette tobacco is cultivated for examination with reference to the prevalence of insect pests or plant diseases and to all other relevant matters within the purview of this Regulation and the Rules thereunder.

9. The Director of Agriculture or other officer to whom this power is delegated by him with the approval of Government shall have the power to order the destruction of all tobacco seedlings or plants which in his opinion are so badly

infested

infested with pest or diseases or parasite as to be a source of the spread of such pest, parasite or disease. The decision of the Director of Agriculture on this point shall be final;

10. On default of the party to comply with the said order the Director of Agriculture shall have the power to arrange for the destruction of such affected plants - the cost incurred for such destruction being recoverable in the same manner as arrears of land revenue;

11. The Government may by notification in the Official Gazette, make rules requiring the owners of curing barns in Mysore to make such returns to them prescribing the form of such returns the dates of their submission and the authority to whom they shall be submitted;

12. It shall be permissible for any seller of cured Cigarette Tobacco to sell them ungraded; but where a different description does not expressly appear in the terms of a contract, the several grades of cured tobacco for purposes of marketing shall be presumed to be the grades indicated in the Schedule appended to this Regulation.

13. (1) Whoever contravenes any of the provisions of this Regulation or of the rules made thereunder shall be punishable with fine which may extend to Rupees five hundred or in case of continued contravention with a fine which may extend to Rupees Fifty for every day during which the contravention is continued after conviction therefor;

(2) Any person who (a) refuses or neglects to furnish any information required to be furnished for the purpose of this Act or rules made thereunder, (b) refuses access to the Director of Agriculture or officer authorised by him for inspection of seed-beds, cultivation and curing,

or

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or (c) fraudulently uses or permits to be used any licence issued under this Act, shall be punishable with fine which may extend to Rupees One Hundred;

14. Where the person guilty of an offence under this Act is -

(a) an Association or Firm, every partner, member, Manager or Secretary and other officer thereof who is knowingly a party to the default, and

(b) a Company, every Director, Manager, Secretary and other officer thereof who is knowingly a party to the default,

shall also be guilty of the like offence and liable to the like punishment.

15. No offence made punishable by this Act or by any rule made thereunder shall be tried by a court inferior to that of a Magistrate of the First Class;

16. No prosecution under this Act shall be instituted except with the sanction of the Director of Agriculture.

17. No suit or other legal proceedings shall be instituted against any person in respect of anything which is in good faith done or intended to be done under this Act;

18.(1) The Government may make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers such rules may provide for -

(a) fixing of the price or prices at which the leaf tobacco leaves shall be purchased by the curers.

(b) the levying of fees in respect of licences granted under this Act,

(c) the conditions and limitations subject to which a licence may be granted,

(d) the establishing of advisory committees for the purpose

purpose of fixing the price or prices at which raw Cigarette-tobacco leaf shall be purchased by a curer and defining the powers, functions and procedure of such committees, and

(e) the records, registers and accounts to be maintained for ensuring compliance with the provisions of this Regulation;

(3) Any rule made under this Regulation may provide that any contravention thereof or any of the conditions of the license issued or renewed thereunder shall be punishable with fine which may extend to Two Hundred Rupees.

****

SCHEDULE I

Grade designations and definition of quality of unmanufactured Flue-cured Cigarette Tobacco grown in ~~India~~ Mysore

Grade designations.	Special characteristics.			
	Colour.	Texture.	Tolerance.	
			Blemish.*	Damage **
1.	2.	3.	4.	5.
1.	Bright lemon	Fine silky	Nil.	Nil.
2.	Lemon	Good or medium	Greenish tinge at veins.	Nil.
3.	Orange lemon	- do -	10%	Nil.
4.	Lemon with green patches.	Medium	-%	5%
5.	Bright brown	Thin (not papery)	20%	10%
6.	Dark reddish brown and green	Medium - not inferior to Grade IV.	25%	15%
7.	Usable scraps and rejections.	.....	30%	20%

* "Blemish" shall include green patches brown spots and patches and damage due to pests or breakage in handling.

** "Damage" shall include sponginess, scalding, black spot, disease perished leaf or other damage. The percentages stated in columns 4 and 5 refer to the proportion of the total area of leaf affected in any sample.

30

Appendix F G—1]

SUBJECT .....

.....

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Immediate

Section A & G

File No. 1140-37

Serial No.

No. D 8613

Diary No. of letter replied to.....

To The Dir of Agri.

Sir,

General and Revenue Secretariat

( )

the *193* .

Date of issue 12.5.38

...gned by .....

With reference to your letter No C.3430/37-38 dt 11/5/38 Submitting a draft bill for the cigarette-tobacco Safeguarding Act, I am directed to request you to be so good as to Submit the general principles of the bill at once, as the same have to be placed before the ensuing session of the L.A.

I have etc

J. Dervelle

12/5/38

List of enclosures.....

Copied by .....

Examined by.....

WD 0521—GPB—30,000—12-3-37

IMMEDIATE.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

3/

Bangalore, Dated, 12th May *1938*

No. W8613/Agr2/Leo-37

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Development Department.

To

The Director of Agriculture in Mysore,
Bangalore.

Sir,

With reference to your letter No.C.3430/37-38 dated 11th May 1938 submitting a draft bill for the cigarette-tobacco safeguarding Act, I am directed to request you to be so good as to submit the general principles of the bill at once, as the same have to be placed before the ensuing session of the Representative Assembly.

I have the honour to be,

Sir,

Your most obedient servant,

for Secretary to Government,
Development Department.

Immediate.

DEPARTMENT OF AGRICULTURE, MYSORE STATE.

32

TEL. ADDRESS: "AGRI., BANGALORE."
Code: 5th Edition A.B.C.

T. G. RAMA IYER, Esq., B.A.,
Director.

OFFICE OF THE DIRECTOR,
BANGALORE.

Dated. 13th May ..... *1938.*

D.O. No. Roc.3430/37-38. Jr 1 - 6466

GEN. & REVENUE SECRETARIAT.
17 MAY 1938
DEVELOPMENT BRANCH.

A&E
14.5.38

Dear Mr. Venkatanaranappa,

Referring to your letter No. D.D.8613 A&E. 140-37 dated the 12th May 1938 requesting me to submit the General Principles of the Bill, I am herein enclosing a draft statement of the General Principles of the Bill.

Yours sincerely,

Venkatarayya

M. Venkatanaranappa, Esq., B.A.,
Secretary to the Govt. of H. H. the
Maharaja of Mysore, Dev. Dept., Bangalore.

GENERAL PRINCIPLES OF THE MYSORE CIGARETTE TOBACCO SAFE-GUARDING BILL.

The Virginia type of tobacco used for the manufacture of cigarettes (~~has commenced to~~ is) be grown and cured in Mysore and its cultivation is gradually spreading. It is a variety of tobacco which has bright (~~future~~) prospects in Mysore. In the interests of the safe expansion of cultivation of this variety of tobacco and to check the spread of insect pests and plant diseases which are likely to cause heavy damage to the crop and thus permanently injure the prospects of its future expansion, it is proposed in this Bill to regulate the raising of seed-beds for supply of seedlings to the growers and the construction of curing barns by the issue of licenses. It is (equally / also necessary to (~~safe-guard the interests of the growers by~~ take power for) fixing the minimum price to be paid by curers like the Mysore Tobacco Company to the growers. The Bill also provides for the destruction of plants infested with pests or diseases to prevent the spread of pests or diseases. Where tobacco is to be sold in grades ~~and not~~ as ~~ungraded~~, the Bill indicates the standards of the grades to be adopted for purposes of marketing. The standards for ~~each~~ the several grade, as ~~adopted~~ laid down in the Bill ~~is~~ are the same as those adopted by the Government of India in their Agricultural Produce Marketing Rules relating to tobacco.

****

13/5/38

CONFIDENTIAL.

33

Code: 5th Edition A.B.C.

Telegraphic Address: "Agri., Bangalore."

DEPARTMENT OF AGRICULTURE,

MYSORE STATE.

D. O. No.

T. G. RAMA IYER, Esq., B.A.,
Director.

OFFICE OF THE DIRECTOR OF AGRICULTURE,
(Camp) Mysore.
Bangalore, 10th June *193* 8.

Confidential

Dear Mr. Venkatanaranappa,

Regarding the information about tobacco which you wanted, I am furnishing the following information:-

No. of acres planted	2150	) Failure 350.
" " " cropped	1800	)
Quantity of green leaves purchased last year (in round figures) ...	60,00,000 lbs.	
Amount paid (in round figures) ...	₨ 1,15,000	
Quantity of cured leaves sold (in round figures)	10,00,000 lbs.	
Average price realised per lb. of cured leaf	Re.0- 4- 0	
Average price paid to grower for green leaves (i.e., 6 lbs.) per lb. of cured leaf	0- 2- 0	

The grower has received half the selling price realised by the Company and the other half represents the cost of curing, grading, transport, depreciation of capital, establishment charges and dividend to shareholders.

With improvement in the quality of the leaf and consequently in the cured product the grower stands to get more than 50% of the selling price which he is getting now.

rea proposed to be planted in 1938 is 5000 acres.

Yours sincerely,

Manamalya

1935 wholefill about 50. | 6.

1936. 250 wholefill 150 acres. | 6

M. Venkatanaranappa, Esq., B.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore, Dev. Dept., (Camp) Mysore.

34

Telegraphic address :—
AGMARK.
All communications should be addressed to the Agricultural Marketing Adviser to the Government of India.

No. A-96(15)

OFFICE OF THE AGRICULTURAL MARKETING ADVISER TO THE GOVERNMENT OF INDIA.

SECOND MEMBER OF COUNCIL,
29 JUNE 1938
No.

~~Delhi~~ Simla, the 25th June 1938.

7356

GEN. & REVENUE SECRETARIAT, DEVELOPMENT BRANCH.

FROM

THE AGRICULTURAL MARKETING ADVISER,

To

Madhava Rao, Esq.,
Second Member of Council,
Mysore State, Bangalore.

Sir,

I have the honour to refer to your conversation with Mr. A.M. Livingstone, Agricultural Marketing Adviser, while he was at Bangalore in April last, and to enquire as to when the draft bill for the licensing of flue-curing barns may be expected.

I have the honour to be,
Sir,
Your most obedient servant,

For Agricultural Marketing Adviser

Reply that Mr. Livingstone ... Bill ... Legislature ... Session ... 25/6/38

MW 29.6.38. 16/30/6

Dear Secy)
Dept Subd. The Bill has been referred to the Select Committee.
MW 30/6/38.

16/30/6

TYPING SECTION GEN. & REVENUE SECRETARIAT 1938 DEVELOPMENT BRANCH

D 27 dy 2-7-38

Dear Secy)
MW 30.6.
Issued
To Agri. marketing adviser
16/30/6

forwards a draft bill.

35

Appendix F G—1]

SUBJECT.....

.....

.....

Section A&G

File No. 140-37

Serial No. 12

Diary No. of letter replied to .....

No. D27 encl-1.

To The Agri. Marketing Adviser
Simla

General and Revenue Secretariat

( )

the *193*

2.7.38

Date of issue.....

Signed by .....

Sir, With refce to your letter No A-96(15) dt 25/6/38 to the Secretary Council regarding the draft bill for the licensing of flue-curing barns, I am directed to state that the bill has just been passed by the L.C. this day & has been sent to Govt of India for ~~awaiting the assent of H.H.~~ his assent.

A copy of the bill is enclosed for refce.

I have dtc

HW.

Dev Sec

List of enclosures.....

Copied by.....

Examined by.....

1/6 30/6 30/6/38.

A+E 140-37-13 36

Telegraphic address :—
AGMARK.
All communications should be addressed to the Agricultural Marketing Adviser to the Government of India.

No. A.96(15).

OFFICE OF THE AGRICULTURAL MARKETING ADVISER TO THE GOVERNMENT OF INDIA.

~~Delhi~~ Simla, the 29th July 1938.

FROM

D.R.Sethi, Esq., M.A.,B.Sc.,I.A.S.,
AGRICULTURAL MARKETING ADVISER,

To

The Secretary to Government,
Development Department,
Government of His Highness
the Maharaja of Mysore,
Bangalore.

Subject:- The Mysore Cigarette-Tobacco Safeguarding Bill.

Sir,

I have the honour to acknowledge receipt of the above-quoted Bill, received with your letter No.D27/AIE 7356 140-37-12, dated the 2nd July, 1938, and to say that in the schedule appended to the Bill seven grades have been specified for the flue-cured Virginia tobacco. This is, no doubt, in accordance with the existing Tobacco Rules in the Agricultural Produce (Grading and Marking) Act, 1937. As a result of experience gained, however, the number of grades have now been reduced to 5 and definitions of quality have also been modified. A copy of the revised Tobacco Rules is enclosed for your information and it is suggested that the changes may be incorporated in the schedule to your Bill.

2. The necessary amendments are being notified in the Gazette of India for general information.

I have the honour to be,

Sir,

Your most obedient servant,

29/7

Agricultural Marketing Adviser.

A.R.

Amd. Rule 13

(V) AGRICULTURAL PRODUCE (GRADING & MARKING) (TOBACCO) RULES. (Revised)

1. Short title and application - (1) These rules may be called the Agricultural Produce (Grading and Marking) (Tobacco) Rules, 1938.

(2) They shall apply to tobacco grown in India.

2. Grade designations - Grade designations to indicate the quality of unmanufactured tobacco (Nicotiana Tabacum) grown in India are set out in column 1 of Schedules I to III.

3. Definition of quality - (1) The general characteristics of quality indicated by such grade designations shall be as follows:-

All the tobacco shall consist of clean and properly cured leaf free from excess moisture, stems and other extraneous matter.

The tobacco may consist of leaf or strips* (S) but not of mixtures thereof, and may be reconditioned (mechanically re-dried) (R) or not.

* In the case of "Strips" the lower part of the midrib shall be removed to the extent of at least 50 per cent of the leaf.

(2) The special quality indicated by such grade designations is set out, against such designations, in columns 2 to 4 of Schedule I, in respect of flue-cured Virginia, of Schedule II in respect of Sun-cured Virginia and of Schedule III in respect of Sun-cured "Natu"(Country).

4. Grade designation mark - The grade designation mark shall consist of the word 'AGMARK' together with the following particulars:-

(a) Reconditioned	.. ..	The letter "R"*
(b) Strips	.. ..	The letter "S"*
(c) Flue-cured	.. ..	The letter "F"*
(d) Variety of tobacco	..	The letter "V" in the case of Virginia and the letter "N" in the case of Natu (Country)
(e) Grade designation	..	An Arabic letter

5. Method of marking - The grade designation mark, together with the following particulars, so far as applicable, shall be

---

* The absence of any or all of the letters "R", "S" respectively that the leaf is not reconditioned (mechanically that the leaf is not stripped and that the leaf is sun-cured.

clearly indicated on each package by means of a stencil having letters at least 2 inches high.

(a) The name of the district	To be indicated by the name of the district or the allotted abbreviation.
(b) Year of harvesting	the last two figures of the year.

6. Example of marking - The marks "AGMARK G.38, R.S.F.V.1" on a package shall represent Guntur District, 1938 harvest, Reconditioned, Stripped, Flue-cured, Virginia, Grade 1 tobacco. Similarly the marks "AGMARK G. 38. N. 3" represent Guntur District, 1938 harvest, Sun-cured "Natu" (Country), Grade 3 tobacco.

7. Special marking rules - In years when there are rains at the time of harvest small brown spots appear on the leaves after it is cured. In such years, provided the area of such spots does not exceed 0.5% in the case of First Grade, 1% in the case of Second Grade, 1.5% in the case of Third Grade, 2% in the case of Fourth Grade and 2.5% in the case of Fifth Grade, slightly spotted leaf may be packed under the grade designations but shall bear a special mark (PP) following the grade designation mark.

8. Method of packing - (1) Graded tobacco shall be packed in wooden hogsheads or wooden cases, or in bales securely wrapped in gunny cloth.

(2) Each covering shall contain only tobacco of one grade designation, all of which shall have been harvested in the year specified.

SCHEDULE I.

Grade designations and definition of quality of unmanufactured Flue-cured Virginia* tobacco grown in India.

Grade designations.	Special characteristics		
	Colour**	Texture**	Blemish +
1	2	3	4
1.	Bright Lemon	Fine	Slight greenish tings at veins;free from sponginess.
2.	L e m o n	Good to Medium	Small light green patches and greenish tinge at veins with very light and occasional spongy spots at tips and edges of leaf not exceeding 1/32nd of the total area
3.	Dull Lemon (Brights)	Medium	Small light green patches and greenish tinge at veins;light spongy spots the area of which shall not exceed 1/16th of the total.
4.	Yellow with greenish tinge (Semi-Brights)	Medium	Small light green patches and greenish tinge at veins; light spongy spots the area of which shall not exceed 4/16ths of the total.
5.	Dull yellow with greenish tinge (Coloury)	Coarse and thin(not papery) or mixed	Greenish and light brown patches extending to not more than 5/32nd; sponginess and scalding not exceeding 8/16ths of the total area.

S.L.

SCHEDULE II.

Grade designations and definition of quality of unmanufactured Sun-cured Virginia* tobacco grown in India.

Grade designations	Special characteristics		
1	Colour** 2	Texture** 3	Blemish + 4
1.	Bright	Good	Nil
2.	Light Brown	Medium	1/16
3.	Dark Brown	Medium	2/16

SCHEDULE III.

Grade designations and definition of quality of unmanufactured Sun-cured Natu(Country) Ø tobacco grown in India.

Grade designations	Special characteristics		
	Colour**	Texture**	Blemish+
1	2	3	4
1.	Bright	Good texture and body	Nil
2.	Light Brown	Medium texture and body	2/16
3.	Light Dark	Medium texture and body	2/16
4.	Heavy Brown	Heavy body	2/16
5.	Heavy Dark	Heavy body	2/16

* Virginia tobacco shall consist of the following varieties, viz. Harrison Special, Cash, Adcock and hybrids of these varieties having similar characteristics.

** To allow for accidental errors in grading a tolerance of 1/16th for colour and texture in respect of leaves corresponding to the specifications in the next lowest grade will be allowed except in Grade 1.

+ See special marking rules.

Ø Natu (Country) tobacco may include any of the indigenous varieties of Nicotiana Tabacum but all the leaves in any sample or container shall have similar varietal characteristics.

S.L. Blemish shall include green patches, brown spots and patches, damage due to pests & diseases, breakage in handling, sponginess, scalding black spots or other damage. The figures of proportion given in column 4 refer to the total area of leaf affected in any sample

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P 2817-23 Dated, Bangalore, 6/12/ 1938

Official Memorandum.

A meeting of the Select Committee appointed to consider the the Mysore Cigarette-Tobacco Safeguarding Bill will be held in the Chambers of the Second Member of Council, Public Offices Buildings, Bangalore at 2 P.M. on Monday the 12th Dec 1938

By Order,

S. [illegible]

Secretary to the Committee.

To 1. J. G. Ramachandra Iyer Esq., B.A.
2). M. Venkatanarayanappa Esq., B.A.
3) M. S. Ramachandra Rao Esq., B.A.
4) P. Subbarama Chetty Esq.
5) K. T. Satyanarayana Setty Esq.
6) M. C. Linga Gowda Esq.
7) J. Mahomed Imam Esq., B.A., B.L.

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Appendix F G—1]

SUBJECT Tenders

General and Revenue Secretariat

( )

the *193*

Date of issue 21/12/38

Signed by Mr. A.S.R

Diary No. of letter replied to

List of enclosures

Copied by

Examined by

Section

File No.

Serial No.

D. V

No. P 3213—8/Genl 1.

To

1) D. G. Rama Iyer Esq B.A

2) Mr. S. Ramachandra Rao Esq B.A

3) P. Subramania Chetty Esq

4) K. T. Sathyanarayana Chetty Esq

5) Mr. C. Linga Reddy Esq

6) J. Mahomed Imam Esq B.A., B.L

Dear Sir,

I am desired to forward herewith copy of the Draft report of the Select committee on the Tobacco Cigarette-Safeguarding Bills and to request you to favour us with your opinion at an early date

yours sincerely

P.S. Please make 40 copies of the report

36

Tels.—"INDUSCOM"

Codes used—A.B.C., 5th Edn., Bentleys.

GOVERNMENT OF MYSORE.

Department of Industries and Commerce.

Mr. M. S. RAMCHENDRA RAO, B.A.,
Director.

OFFICE OF THE DIRECTOR,
INDUSTRIES AND COMMERCE,

No. A1·283/38-39
Enc. 1

Bangalore, dated the 22nd Dec.1938.

Dear Sir,

I am returning herewith copy of the draft report of the Select Committee on the Cigarette Tobacco Safeguarding Bill sent with your letter No. P.3213-8/1 dated 21st Dec.'38, duly approved.

Yours sincerely,

M S Ramchandra Rao

A.Sundararaja Rao,Esq.,B.A.,B.L.,
Secretary of the Sub Committee,
General & Revenue Secretariat,
Bangalore.

SRS.

[illegible] REPORT.

We, the members of the Select Committee to which the Mysore Cigarette-Tobacco Bill was referred, have considered the several clauses of the Bill and I beg to submit the following report:-

Preamble:- The object of the Bill is not only to control but also to regulate the seed supply, curing etc., In order to make this clear, we recommend that after the word "controlling" the words "and regulating the quality of", may be [substituted.] added.

See 3(b) "raw" and green

Clause 4 (2):- In order to ensure that only good and proper varieties of tobacco are grown, the sources from which seed should be obtained ought not to be left to the option of the owner of the seed bed. The word "may" in line 2 of this sub clause may be changed into "shall". The raising of the seedlings required are the proper equipment, and in order that it may be efficiently done, it is necessary that the area of the seed bed ought to be restricted with reference to the capacity of the person raising the seed bed. It is also necessary to provide for the growers getting the seedlings at a reasonable price. We, therefore, recommend that the words "the area of the seed bed, the maximum price at which seedlings shall be sold to growers" may be inserted after the word "location".

Clause 4(6):- In order that the growers may be assured of purchasers for their crop, the curing of barns in a particular area must be obliged to take up all the tobacco grown in the area allotted to them. With a view to carry out this more clearly, we propose that a full stop may be placed after the words "corresponding to a barn" and for the words beginning with "who furnishes" to the end of the sub clause, the following sentence be substituted:-

" such curer shall not further register more of the curers of such barns, shall undertake to purchase all the green tobacco leaf grown in the zone allotted to such curers

Clause 7. after "enforcement" insert "request for this Act" 30

2. insert "request for purposes of"

...ums not less than the minimum price fixed by ...overnment in this behalf, suitable agreements ...eing entered into by them in writing with the ...rowers before transplantation of seedlings".

Clause 10:- For the words "the said order" substitute "an order under section 9".

...fter "agriculture" add "or the officer empowered by him".

Clause 12:- The powers may have to be taken varied from time to time. It is, therefore, desirable to leave this matter to be dealt with in the rules instead of providing for it in the Act. So for the words beginning with "but where" to the end of the clause, the following may be substituted "but where tobacco is produced and sold, the grading shall be done in the manner prescribed in the rules."

Clause 13(1):- In paragraph (a) the word "minimum" may be inserted before the word "price". For "tobacco" the word "leaf". In lieu of the addition made in clause 4(f), the following may be inserted as paragraph (b). The other paragraphs will be re-numbered - "(b) the minimum price at which tobacco may be sold by growers thereof to buyers".

In paragraph (c), for (a) the words "the" and the "authority by whom" may be inserted after "which".

(g)? The following paragraph may be inserted as (f) "(f) fixing the grades of cured tobacco".

Omission. This may be omitted in view of what is stated under clause 12.

The changes I have proposed are mostly verbal, calculated to bring out clearly and in an unambiguous manner the object of the legislation. We do not consider that the Bill as proposed amended need be republished.

See

Attested
Mohamed Ibrahim
Secretary
22.12.38

From.

K.T. Satyanarayan Seth M.L.C.,

Bijnor

To. The Secretary,

The Mysore R. A & L.C,

Bangalore.

Dear Sir,

With reference to your D.O. letter no P 3213-8/ dated the 21st instant, I am herewith returning the copy of the draft report of the Select Committee on the Cigarette-Tobacco Safeguarding Bill, with my approval.

Yours faithfully,

K. Satyanarayan Seth

Camp Bangalore city,

23/12/1938.

SELECT COMMITTEE REPORT.

We, the members of the Select Committee to which the Mysore Cigarette-Tobacco Bill was referred, have considered the several clauses of the Bill and I beg to submit the following report:-

Preamble:- The object of the Bill is not only to control but also to regulate the seed supply, curing etc., In order to make this clear, we recommend that after the word "controlling" the words "and regulating the quality of", may be substituted.

In clause 3 (b) Substitute 'green' for 'raw'.

Clause 4 (2):- In order to ensure that only good and proper varieties of tobacco are been grown, the sources from which seed should be obtained ought not to be left to the option of the owner of the seed bed. The word "may" in line 2 of this sub clause may be changed into "shall". The raising of these seedlings requires care and proper equipment, and in order that it may be efficiently done, it is necessary that the area of the seed bed ought to be restricted with reference to the capacity of the person raising the seed bed. It is also necessary to provide for the growers getting the seedlings at a reasonable price. We, therefore, recommend that the words "the area of the seed bed, the maximum price at which seedlings shall be sold to growers" may be inserted after the word "located".

Clause 4(4):- In order that the growers may be assured of purchasers for their crop the owners of farms in a particular area must be obliged to take up all the tobacco grown in the area allotted to them. With a view to bring out this idea clearly, we propose that a full stop may be placed after the words "corresponding to a barn" and for the words beginning with "the minimum" to the end of the sub clause, the following sentence be substituted:-

" Such conditions may further prescribe that the owners of such barns shall undertake to purchase all the green tobacco leaf grown in the zone allotted to their farms

terms at not less than the minimum price fixed by Government in this behalf, suitable agreements being entered into by them in writing with the growers before transplantation of seedlings".

Clause 10:- For the words "the said any order" substitute "an order under section 9".

After "Agriculture" add "or the officer empowered by him".

Clause 12:- The grades may have to be from time varied from time to time. It is, therefore, desirable to leave this matter to be dealt with in the rules instead of providing for it in the Act. So for the words beginning with "but where" to the end of the clause, the following may be substituted "but where tobacco is graded and sold, the grading shall be done in the manner prescribed in the rules".

Clause 13(2):- In paragraph (a) the word "minimum" may be inserted before the word "price". For "leaves" substitute "leaf". In view of the addition made in clause 4(2), the following may be inserted as paragraph (b). The other paragraphs will be re-numbered - "(b) the maximum price at which seedlings shall be sold to growers from the licensed seed beds".

In paragraph (c), /(d) as renumbered/ the words " and the authority by whom" may be inserted after "which".

The following paragraph may be inserted as (f) "(f) fixing the grades of cured tobacco".

Schedule. This may be omitted in view of what is stated under clause 12.

The changes we have proposed are mostly verbal, calculated to bring out clearly and in an unambiguous manner the object of the legislation. We do not consider that the Bill as amended needs be republished.

Approved.

23.12.38.

4B

SELECT COMMITTEE REPORT.

We, the members of the Select Committee to which the Mysore Cigarette-Licence Bill was referred, have considered the several clauses of the Bill and we beg to submit the following report:-

Preamble:- The object of the Bill is not only to control the [illegible] but also to regulate the [illegible] supply, [illegible] etc., In order to make this clear, we recommend that "for the purpose of controlling" may be substituted by the words "in regard to the quality of", may be substituted.

Clause 4 (1):- In order to ensure that only such persons as are proper persons to [illegible] licenses from, the persons from whom licenses should be obtained may not be left to the option of the owner of the premises. The word "may" in line 2 of this sub clause may be changed into "shall". The retailing of these articles requires certain [illegible] equipments, and in order that it may be efficiently done, it is necessary that the area of the retail shop ought to be restricted with reference to the quantity of the [illegible] and the area used. It is also necessary to provide for the [illegible] the licensing authority. We, therefore, recommend that the words "the area of the premises, the particulars, place of which should be specified in the licence" may be inserted after the words "licensed".

Clause 6(2):- In order that the growers may be ensured of [illegible] for their crop the Government or any Co-operative Society must be willing to take up all the tobacco grown in the area notified as such. With a view to bring about this [illegible], we propose that a full stop may be placed after the words "corresponding to a born" and for the words beginning with "the minimum" to the end of the sub clause, the following sentence be substituted:-

Clause 10:- For the words "the said new order" substitute "an order under section 6".

After "Agriculture" add "or the officer empowered by him".

Clause 12:- The grades may have to be varied from time to time. It is, therefore, desirable to leave this matter to be dealt with in the rules instead of providing for it in the Act. So for the words beginning with"but where" to the end of the clause, the following may be substituted "but where tobacco is graded and sold, the grading shall be done in the manner prescribed in the Rules."

Clause 18(2):- In paragraph (a) the word "minimum" may be inserted before the word "price". For "leaves" substitute "leaf". In view of the addition made in clause 4(d), the following may be inserted as paragraph (b). The other paragraphs will be re-numbered - "(b) the maximum price at which seedlings shall be sold to growers from the licensed seed beds".

In paragraph (c), [(d) as renumbered] the words " and by authority by whom" may be inserted after "which".

The following paragraph may be inserted as (f) "(f) fixing the grades of cured tobacco".

Schedule. This may be omitted in view of what is stated under clause 12.

The changes we have proposed are mostly verbal, calculated to bring out clearly and in an unambiguous manner the object of the legislation. We do not consider that the Bill as amended needs be republished.

See

A/Attorney General

Clerk

23/12/38

C 2017 Hc 622 38-39 44

D. O. No. P3213-8/Genl GENERAL AND REVENUE SECRETARIAT

Dated, Bangalore, 21st December 1938.

4239 P 38

Dear Sir,

I am desired to forward herewith copy of the draft report of the Select Committee on the Cigarette Tobacco Safeguarding Bill and to request you to kindly return it with your approval at an early date.

BBB 22/12

Roc. 2017/Hc 622/38-39

Yours sincerely,

Secretary

Approved & Returned

by 27.12 Director of Agri

28/12/38.

T.G. Rama Iyer, Esq., B.A.,
Director of Agriculture in Mysore,
Bangalore.

SELECT COMMITTEE REPORT.

We, the members of the Select Committee to which the Mysore Cigarette-Tobacco Bill was referred, have considered the several clauses of the Bill and beg to submit the following report:-

Preamble:- The object of the Bill is not only to control but also to regulate the seed supply, curing etc., In order to make this clear, we recommend that after the word "controlling" the words "and regulating the quality of", may be substituted.

Clause 4 (2):- In order to ensure that only good and pure proper varieties of tobacco are given grown, the sources from which seed should be obtained ought not to be left to the option of the owner of the seed bed. The word "may" in line 2 of this sub clause may be changed into "shall". The raising of these seedlings requires care and proper equipment, and in order that it may be efficiently done, it is necessary that the area of the seed bed ought to be restricted with reference to the capacity of the person raising the seed bed. It is also necessary to provide for the growers getting the seedlings at a reasonable price. We, therefore, recommend that the words "the area of the seed bed, the minimum price at which seedlings shall be sold to growers" may be inserted after the word "located".

Clause 4(4):- In order that the growers may be assured of purchasers for their crop the owners of farms in a particular area must be obliged to take up all the tobacco grown in the area allotted to them. With a view to bring out this idea clearly, we propose that a full stop may be placed after the words "corresponding to a farm" and for the words beginning with "the minimum" to the end of the sub clause, the following sentence be substituted:-

" Such conditions may further prescribe that the owners of such farms shall undertake to purchase all the green tobacco leaf grown in the zone allotted to their farms

...orms at not less than the minimum price fixed by Government in this behalf, suitable agreements being entered into by them in writing with the growers before transplantation of seedlings".

Clause 10:- For the words "the said ~~xxx~~ order" substitute "an order under section 9".

After "Agriculture" add "or the officer empowered by him".

Clause 12:- The grades may have to be ~~xxxx~~ varied from time to time. It is, therefore, desirable to leave this matter to be dealt with in the rules instead of providing for it in the Act. So for the words beginning with"but there" to the end of the clause, the following may be substituted "but where tobacco is graded and sold, the grading shall be done in the manner prescribed in the Rules."

Clause 18(2):- In paragraph (a) the word "minimum" may be inserted before the word "price". For "leaves" substitute "leaf" In view of the addition made in clause 4(2), the following may be inserted as paragraph (b). The other paragraphs will be re-numbered - "(c) the maximum price at which seedlings shall be sold to growers from the licensed seed beds".

In paragraph (c), /(d) as renumbered/ the words " and the authority by whom" may be inserted after "which".

The following paragraph may be inserted as (f) "(f) fixing the grades of cured tobacco".

Schedule. This may be omitted in view of what is stated under clause 12.

The changes we have proposed are mostly verbal, calculated to bring out clearly and in an unambiguous manner the object of the legislation. We do not consider that the Bill as ~~xxxx~~ amended need be republished.

J M Lucas
11. 1. 939

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G. R. S. VI.—s-III/14]

DRAFT.

SUBJECT.....

.....

.....

Section. Legi
File No. 32 - 38
Serial No. 1

Proceedings of the Government of H. H. the Maharaja of Mysore.

Diary No. of letter replied to.....

Order No. P 4373/Secr 1

GENERAL AND REVENUE SECRETARIAT,
( )
, *the*.....*191*

Ordered that the accompanying Mysore Cigarette – tobacco Safeguarding Act

.....

which received the assent of His Highness the Maharaja, on the Seventh day of February 1939 be published as Regulation No. VI of 1939, in the *Mysore Gazette* for general information.

Date of issue 14/2/39

Signed by Mr. K.S.

14/2/39
General *Secretary to Government.*

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

To

The Compiler, *Mysore Gazette*, for publication in Part III of the Gazette, in English and Kannada and for supply of .....spare copies in English, and .....~~spare copies~~ in Kannada ~~to this office, and~~ as per standing orders .....~~spare copies in English and~~.....spare copies ~~in Kannada to the Curator, Government Central Book Depot, Bangalore~~. Proofs should be sent to this office for approval before publication.

Copy to Translation Section

48

Act VI of 1939

(Received the assent of His Highness the Maharaja on the Seventh day of February 1939)

The Mysore Cigarette-Tobacco Safeguarding ~~Bill~~ Act

~~*As amended by the Select Committee.*~~

~~(*Omissions are enclosed in square brackets and additions are indicated in italics.*)~~

An Act

~~A Bill~~ to provide for the development of Cigarette-tobacco cultivation and for safeguarding the interests of Cigarette-tobacco cultivators in Mysore.

Whereas it is expedient for the fostering and development of Cigarette-tobacco cultivation in Mysore, to take power for controlling *and regulating the quality of* the seed supply and the curing and marketing of Cigarette-tobacco in the State and for safeguarding the interests of tobacco cultivators; It is hereby enacted as follows:—

Roman

1. This Act shall be called the Mysore Cigarette-tobacco Safeguarding Act, 1939 Short title.

2. (1) It extends to the whole of Mysore. Extent and commencement.

(2) It shall come into operation from such date as the Government may by notification in the official Gazette direct.

3. In this Act, unless there is anything repugnant in the subject or context:— Definitions.

(*a*) "Cigarette-tobacco" shall include the following varieties, *viz.*, Harrison Special, Cash, Adcock, Burley and all other flue-cured varieties of tobacco used for the manufacture of cigarettes;

(*b*) "Barn" means any structure in which ~~[raw]~~ *green* tobacco leaf is cured by heat radiating from flue-pipes or tubes connected with an oven or a plant generating steam or electricity;

Roman

(*c*) "Seed-bed" means earthen beds in which tobacco seed is sown and seedlings raised;

(*d*) "Licence" means a licence granted under this Act and 'Licensed' and 'Licensee' shall have corresponding meanings.

(*e*). "Prescribed" means prescribed by rules made under this Act.

Licence for seed-beds and barns.

4 (1). It shall be lawful for the Government to grant to any person or persons on such conditions and for such periods as may seem fit, licences for raising seed-beds for supply of seedlings to growers and for the construction of barns for curing Cigarette-tobacco

(2) Such conditions in regard to seed-beds may specify the source from which the seed ~~may~~ *shall* be obtained, the places where seed-beds are to be located, *the area of the seed bed, the maximum price at which seedlings shall be sold to growers,* the preventive measures to be taken against insect pests and plant diseases and other matters relating to the proper preparation of seedling.

(3) Such conditions in regard to the construction of barns by growers to cure tobacco grown by them may specify the localities and places where they are to be constructed, the kind of material to be used, the dimensions *and design* of the barns, the oven, and flue-pipes and chimneys.

(4) Where such barns are proposed to be constructed by curers for curing tobacco grown by ~~others~~ *cultivators,* such conditions may also prescribe and limit the zones within which they may take up the curing of tobacco grown by cultivators and the distance to be observed from the nearest existing barn and also the extent of tobacco area corresponding to a barn. ~~the minimum prices to be paid for leaves under agreements to be entered into by them in writing with the growers before transplantation of seedlings.~~ *Such conditions may further prescribe that the owners of such barns shall undertake to purchase all the green tobacco leaf grown in the zone allotted to their barns at not less than the minimum price fixed by Government in this behalf, suitable agreements being entered into by them in writing with the growers before transplantation of seedlings.*

No seed-bed to be raised or barn constructed without a licence.

5. It shall not be lawful for any person after the expiration of three months from the coming into force of this Act to carry on the business of raising seed-beds or the construction of barns for curing Cigarette-tobacco except under the authority and subject to the terms and conditions of a licence granted in accordance with the provisions of this Act.

6. The decision of the Government as to whether a licence may or may not be granted shall be final. — Decision of Government to be final.

7. The Government may by special or general order require the applicant for a licence, or a licensee or any person who, being a partner, proprietor, manager or an officer of a company or factory, is able to give information *required for the purposes of this Act*, to furnish such information within such time as they may fix. — Information to be furnished.

8. For the purpose of this Act and the rules framed thereunder, the Director of Agriculture or any officer authorised by him shall have the right of access to any land or premises wherein tobacco seed-beds, or curing barns are located and into any land where Cigarette-tobacco is cultivated for ~~examination~~ inspection with reference to the prevalence of insect pests or plant diseases and to all other relevant matters within the purview of this Act and the rules thereunder. — Right of access for examination.

9. The Director of Agriculture or any officer to whom this power is delegated by him with the approval of Government, shall have the power to order the destruction of all tobacco seedlings or plants which, in his opinion are so badly infested with pest or diseases or parasite as to be a source of the spread of such pest, ~~[parasite or]~~ disease *or parasite*. The decision of the Director of Agriculture on this point shall be final. — Power to order destruction of plant infested with pest.

10. On default of the party to comply with ~~[the said]~~ *an* order *under section 9*, the Director of Agriculture *or the officer empowered by him* shall have the power to arrange for the destruction of such affected plants—the cost incurred for such destruction being recoverable in the same manner as arrears of land revenue. — Destruction by Director of Agriculture

11. The owners of curing barns in Mysore shall submit such returns as may be required for the purposes of this Act, in such forms, on such dates and to such authority as may be prescribed by rules framed thereunder. — Returns

12. ~~It shall be permissible for any seller of cured~~ Cigaratte tobacco ~~to sell them ungraded; but Where [a different description does not expressly appear in the terms of a contract, the several grades of cured tobacco for purposes of marketing shall be presumed to be the grades indicated in the Schedule appended to this Act.]~~ *tobacco is graded and sold, the grading shall be done in the manner prescribed in the rules.* — Grading.

Penalty.

13. (1) Whoever contravenes any of the provisions of this Act or of the rules made thereunder shall be punishable with fine which may extend to rupees five hundred or in case of continued contravention with a fine which may extend to rupees fifty for every day during which the contravention is continued after conviction therefor.

(2) Any person who (a) refuses or neglects to furnish any information required to be furnished for the purpose of this Act or rules made thereunder, (b) refuses access to the Director of Agriculture or officer authorised by him for inspection of seed-beds, cultivation and curing, or (c) fraudulently uses or permits to be used any licence issued under this Act, shall be punishable with fine which may extend to rupees one hundred.

Liability of Manager, Secretary, etc., of firm or company.

14. Where the person guilty of an offence under this Act is—

(a) an Association or Firm, every partner, member manager or, secretary and other officer thereof who is knowingly a party to the default, and

(b) a Company, every Director, Manager, Secretary and other officer thereof who is knowingly a party to the default,

shall also be guilty of the like offence and liable to the like punishment.

Class of Magistrate to try offences.

15. No offence made punishable by this Act or by any rule made thereunder shall be tried by a Court inferior to that of a Magistrate of the First Class.

Sanction to prosecute.

16. No prosecution under this Act shall be instituted except with the sanction of the Director of Agriculture

Indemnity for act done in good faith.

17. No suit or other legal proceedings shall be instituted against any person in respect of anything which is ~~[in good faith]~~ done or intended to be done *in good faith* under this Act.

Power to make rules.

18. (1) The Government may make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers such rules may provide for,—

(a) the fixing of the *minimum* price or prices at which the ~~[raw]~~ *green* tobacco leaf shall be purchased by the curers,

(b) *the maximum price at which seedlings shall be sold to growers from the licensed seed-beds,*

(c) ~~[b]~~ the levying of fees in respect of licences granted under this Act,

(d) ~~[c]~~ the conditions and limitations subject to which *and the authority by whom* a licence may be granted,

(e) ~~[d]~~ the establishing of advisory committees for the purpose of fixing the price or prices at which *green* [raw] Cigarette-tobacco leaf shall be purchased by a curer and defining the powers, functions and procedure of such committees, [and]

(f) ~~[e]~~ the records, registers and accounts to be maintained for ensuring compliance with the provisions of this Act, *and*

(g) *fixing the grades of cured tobacco.*

(h) The returns which the owners of curing barns to have to submit, the forms in which, the date on which and the authority to whom such returns shall be submitted.

[SCHEDULE.]

Grade designations and definition of quality of unmanufactured, Flue-cured Cigarette-tobacco grown in Mysore.

Grade designation	Special characteristics			
	Colour	Texture	Tolerance	
			Blemish*	Damage†
1	Bright lemon ...	Fine silky ...	Nil ...	Nil
2	Lemon ...	Good or medium...	Greenish tinge at veins.	Nil
3	Orange lemon ...	Do ...	10 per cent ...	Nil
4	Lemon with green patches	Medium ...	15 ,, ...	5 per cent.
5	Bright brown ...	Thin (not papery)	20 , ...	10 ,,
6	Bright reddish brown and green.	Medium—not inferior to Grade IV	25 ,, ...	15 ,,
7	Usable scraps and rejections.	...	30 ,, ...	20 ,,

(*) "Blemish" shall include green patches, brown spots and patches and damage due to pests or breakage in handling.

(†) "Damage" shall include sponginess, scalding, black spot, disease, perished leaf or other damage. The percentages stated in columns 4 and 5 refer to the proportion of the total area of leaf affected in any sample.]

(sd) Mirza M Ismail
Dewan

WD 1228—GPB—250—11-1-39

13.2.39
General Secretary to Govt

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

Read:—

O R D E R No.I.

Dated, Bangalore, the 14th February 1939.

Ordered that the accompanying Mysore Cigarette-tobacco Safeguarding Act which received the assent of His Highness the Maharaja, on the Seventh day of February 1939, be published as Act No.VI of 1939, in the Mysore Gazette for general information.

General Secretary to Government.

To

The Compiler, Mysore Gazette, for publication in Part III of the Gazette, in English and for supply of spare copies in English, and in Kannada as per standing orders. Proofs should be sent to this office for approval before publication.

mk.4

ACT VI OF 1939.

(Received the assent of His Highness the Maharaja on the seventh day of February 1939.)

The Mysore Cigarette-tobacco Safeguarding Act.

Price: 0-0-9

NOTIFICATION.

Order No. P. 4373—Legis. 32-38-1, dated Bangalore, the 14th February 1939.

Ordered that the accompanying Mysore Cigarette-tobacco Safeguarding Act which received the assent of His Highness the Maharaja, on the seventh day of February 1939, be published as Act No. VI of 1939, in the *Mysore Gazette* for general information.

K. SUBBA RAO,
General Secretary to Government.

ACT VI OF 1939.

(Received the assent of His Highness the Maharaja on the seventh day of February 1939.)

The Mysore Cigarette-tobacco Safeguarding Act.

An Act to provide for the development of Cigarette-tobacco cultivation and for safeguarding the interests of Cigarette-tobacco cultivators in Mysore.

Whereas it is expedient, for the fostering and development of Cigarette-tobacco cultivation in Mysore, to take power for controlling and regulating the quality of the seed supply and the curing and marketing of Cigarette-tobacco in the State and for safeguarding the interests of tobacco cultivators; It is hereby enacted as follows:—

1. This Act shall be called the Mysore Cigarette-tobacco Safeguarding Act, 1939. Short title.

Extent and commencement.

2. (1) It extends to the whole of Mysore.

(2) It shall come into operation from such date as the Government may, by notification in the official Gazette, direct.

Definitions.

3. In this Act, unless there is anything repugnant in the subject or context :—

(*a*) "Cigarette-tobacco" shall include the following varieties, namely, Harrison Special, Cash, Adcock, Burley and all other flue-cured varieties of tobacco used for the manufacture of cigarettes;

(*b*) "Barn" means any structure in which green tobacco leaf is cured by heat radiating from flue-pipes or tubes connected with an oven or a plant generating steam or electricity;

(*c*) "Seed-bed" means earthen beds in which tobacco seed is sown and seedlings raised;

(*d*) "Licence" means a licence granted under this Act and 'Licensed' and 'Licensee' shall have corresponding meanings.

(*e*) "Prescribed" means prescribed by rules made under this Act.

Licence for seed-beds and barns.

4. (1) It shall be lawful for the Government to grant to any person or persons on such conditions and for such periods as may seem fit, licences for raising seed-beds for supply of seedlings to growers and for the construction of barns for curing Cigarette-tobacco.

(2) Such conditions in regard to seed-beds may specify the source from which the seed shall be obtained, the places where seed-beds are to be located, the area of the seed-bed, the maximum price at which seedlings shall be sold to growers, the preventive measures to be taken against insect pests and plant diseases and other matters relating to the proper preparation of seedlings;

(3) Such conditions in regard to the construction of barns by growers to cure tobacco grown by them may specify the localities and places where they are to be constructed, the kind of material to be used, the dimensions and design of the barns, the oven, and flue-pipes and chimneys.

(4) Where such barns are proposed to be constructed by curers for curing tobacco grown by cultivators, such conditions may also prescribe and limit the zones within which they may take up the curing of tobacco grown by cultivators and the distance to be observed from the nearest existing barn and also the extent of tobacco area corresponding to a barn. Such conditions may further prescribe that the owners of such barns shall undertake to purchase all the green tobacco leaf grown in the zone allotted to their barns at not less than the minimum price fixed by the Government in this behalf, suitable agreements being entered into by them in writing with the growers before transplantation of seedlings.

No seed-bed to be raised or barn constructed without a licence.

5. It shall not be lawful for any person after the expiration of three months from the coming into force of this Act to carry on the business of raising seed-beds or the construction of barns for curing Cigarette-tobacco except under the authority and subject to the terms and conditions of a licence granted in accordance with the provisions of this Act.

Decision of Government to be final.

6. The decision of the Government as to whether a licence may or may not be granted shall be final.

Information to be furnished.

7. The Government may by special or general order require the applicant for a licence or a licensee or any person who, being a partner, proprietor, manager or an officer of a company or factory, is able to give information required for the purposes of this Act, to furnish such information within such time as they may fix.

Right of access for examination.

8. For the purpose of this Act and the rules framed thereunder, the Director of Agriculture or any officer authorised by him shall have the right of access to any land or premises wherein tobacco seed-beds, or curing barns are located and into any land where Cigarette-tobacco is cultivated for inspection with reference to the prevalence of insect pests or plant diseases and to all other relevant matters within the purview of this Act and the rules thereunder.

Power to order destruction of plant infested with pest.

9. The Director of Agriculture or any officer to whom this power is delegated by him with the approval of Government, shall have the power to order the destruction of all tobacco seedlings or plants which in his opinion are so badly infested with pest or diseases or parasite as to be a source of the spread of such pest, disease or parasite.

The decision of the Director of Agriculture on this point shall be final.

estruction by Director of Agriculture.

10. On default of the party to comply with an order under section 9, the Director of Agriculture or the officer empowered by him shall have the power to arrange for the destruction of such affected plants, the cost incurred for such destruction being recoverable in the same manner as arrears of land revenue.

Returns.

11. The owners of curing barns in Mysore shall submit such returns as may be required for the purposes of this Act, in such forms, on such dates and to such authority as may be prescribed by rules framed thereunder.

Grading.

12. Where tobacco is graded and sold, the grading shall be done in the manner prescribed in the rules.

Penalty.

13. (1) Whoever contravenes any of the provisions of this Act or of the rules made thereunder shall be punishable with fine which may extend to rupees five hundred or in case of continued contravention with a fine which may extend to rupees fifty for every day during which the contravention is continued after conviction therefor.

(2) Any person who

(*a*) refuses or neglects to furnish any information required to be furnished for the purpose of this Act or rules made thereunder,

(*b*) refuses access to the Director of Agriculture or officer authorised by him for inspection of seed-beds, cultivation and curing, or

(*c*) fraudulently uses or permits to be used any licence issued under this Act,

shall be punishable with fine which may extend to rupees one hundred.

Liability of Manager, Secretary, etc., of firm or company.

14. Where the person guilty of an offence under this Act is

(*a*) an Association or Firm, every partner, member, manager or, secretary and other officer thereof who is knowingly a party to the default, or acts in contravention of any of the provisions of this Act or the rules framed thereunder, and

(*b*) a Company, every Director, Manager, Secretary and other officer thereof who is knowingly a

party to the default, or acts in contravention of any of the provisions of this Act or the rules framed thereunder,

shall also be guilty of the like offence and liable to the like punishment.

Class of Magistrate to try offences.

15. No offence made punishable by this Act or by any rule made thereunder shall be tried by a Court inferior to that of a Magistrate of the First Class.

Sanction to prosecute.

16. No prosecution under this Act shall be instituted except with the sanction of the Director of Agriculture.

Indemnity for act done in good faith.

17. No suit or other legal proceedings shall be instituted against any person in respect of anything which is done or intended to be done in good faith under this Act.

Power to make rules.

18. (1) The Government may make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power such rules may provide for,—

(*a*) the fixing of the minimum price or prices at which the green tobacco leaf shall be purchased by the curers,

(*b*) the maximum price at which seedlings shall be sold to growers from the licensed seed-beds,

(*c*) the levying of fees in respect of licences granted under this Act,

(*d*) the conditions and limitations subject to which and the authority by whom a licence may be granted,

(*e*) the establishing of advisory committees for the purpose of fixing the price or prices at which green Cigarette-tobacco leaf shall be purchased by a curer and defining the powers, functions and procedure of such committees,

(*f*) the records, registers and accounts to be maintained for ensuring compliance with the provisions of this Act,

(*g*) fixing the grades of cured tobacco, and

(*h*) the returns which the owners of curing barns have to submit, the forms in which, the dates on which and the authority to whom such returns shall be submitted.

MIRZA M. ISMAIL,
Dewan.

Printed by the Superintendent at the Government Press, Bangalore.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

5 4

General and Revenue Secretariat

Dated, Bangalore, 23rd February 1939.

No. S. 7705

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Development Department.

To

The Director of Agriculture in Mysore,
BANGALORE.

Sir,

With reference to correspondence ending with your letter No.Roc. 3430/37-38 dated 13th May 1938 regarding the legislation for safeguarding the interests of Cigarette tobacco cultivators, I am directed to request you to be so good as to forward for the approval of Government draft rules to be framed under the Act.

The matter may kindly be treated as urgent.

I have the honour to be,
Sir,
Your most obedient servant,

For Secretary to Government,
Development Department.

jgn/2.

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Appendix F G—1]

SUBJECT.....

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Section A&E

File No. Uo-37

Serial No. 14

Diary No. of letter replied to .....

No. D. 7705

To The Dir. of Agri.

General and Revenue Secretariat

( )

the *193* .

Sir, with refce to correspondence ending with your no. Rve 3430/37-38 dt 13/1/38 re the legislation for safeguarding the ~~interests of~~ cigarette tobacco cultivators, I am directed to request you to be so good as to forward for the approval of Govt. draft rules to be framed under the Act.

Date of issue 23. 2. 39

Signed by Mr. R.S.

The matter may kindly be treated as urgent.

I have etc

for Secy

22/2/39

List of enclosures.....

Copied by .....

Examined by.....

WD 0278—GPB—30,000—4-8-38